



TO THE ANTI-MAFIA AND ANTI- TERRORISM NATIONAL DIRECTORATE

To the Most Illustrious National Prosecutor

Dr. Federico Cafiero de Raho

CRIMINAL REPORT

Article 270 of the Penal Code

Subversive associations

Article 270 bis of the Penal Code

Associations for the purpose of subversion of the democratic order

Article 270 sexies of the Penal Code

Conducts with the purpose of terrorism

Article 287 Criminal Code

Usurpation of political power

Article 270 of the Penal Code

Subversive associations

Whoever in the territory of the State promotes, constitutes, organizes or directs associations aimed at violently subverting the economic or social order established in the State, or violently suppressing the political and juridical order of the State, is punished with imprisonment from five to ten years.

Anyone who participates in the associations referred to in the first paragraph is punished by imprisonment from one to three years. The punishment is increased for those who re-establish, even under a false name or in a simulated form, the associations referred to in the first paragraph, the dissolution of which has been ordered.

Article 270 bis of the Penal Code

Associations for the purpose of subversion of the democratic order

Anyone who promotes, sets up, organizes, directs or finances associations that intend to carry out acts of violence for the purposes of terrorism or subversion of the democratic order is punished by imprisonment from seven to fifteen years.

Anyone who participates in such associations is punished by imprisonment from five to ten years.

According to criminal law, the purpose of terrorism also applies when the acts of violence are directed against a foreign state, an institution or an international body.

The confiscation of the things that served or were destined to commit the crime and of the things that are the price, the product, the profit or were used for the crime it's always obligatory.

Article 270 sexies of the Penal Code

Conducts with the purpose of terrorism

Conduct is considered to be for the purpose of terrorism if, due to its nature or context, it may cause serious damage to a country or an international organization and is carried out in order to intimidate the population or force public authorities or an international organization to perform or refrain from performing any act or destabilize or destroy the fundamental political, constitutional, economic, and social structures of a country or an international organization, as well as other conducts defined as terrorist or committed for the purpose of terrorism according to international treaties or other rules of international law binding on Italy.

Article 287 Criminal Code

Usurpation of political power

Whoever usurps political power, or persists in unduly exercising it, is punished by imprisonment of from six to fifteen years.



CRIMINAL REPORT

The undersigned lawyer, Lillo Massimiliano Musso, head of Mille Avvocati per la Costituzione (One thousand lawyers for the Constitution), the national defence group for constitutional freedoms, makes the following statement.

IN EXTREME SYNTHESIS

Violation of Legislative Decree No. 1/2018 as an act of political violence with the imposition of derogations to personal rights and fundamental freedoms, punished by articles 270, 270 bis and 270 sexies of the Criminal Code.

Normalisation of the state of emergency as a pretext for recourse to urgent decree-making pursuant to Article 77 of the Constitution, punished by **Article 270 bis of the Criminal Code.**

Usurpation of powers that are not attributed also for decisions not related to the emergency, punished by Article 287 of the Penal Code.

Subversion of the democratic order and of the constitutional order, punished by **Article 270** bis of the Penal Code.

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PRESENTATION OF THE FACT

PREMISES. As it will be said, **DRAGHI Mario**, *President of the Council of Ministers of the Italian Republic*, in association with **SPERANZA Roberto**, Minister of Health of the Italian Republic, **FIGLIUOLO Francesco Paolo**, Extraordinary Commissioner for the Covid-19 Emergency, and many other well-known personalities, violated the penal code and for this reason should be tried and convicted (this amounts to news of crime for those who receive it).

The purpose of this report is to promote the opening of a file to collect, in the course of a criminal proceeding, all the evidence that establishes the criminal liability for subversion of the democratic order of several hundred well-known personalities of this country and this Republic that will be identified in the course of preliminary investigations at the emergence of illicit conducts of any kind even within the regional management plans of the Covid-19 emergency and of any Scientific Technical Committee or any other parastatal consultation body, including consultants and advisors at all levels, in universities, professional bodies, schools and health management and in every sphere, including the political one, in which the emergency management line was articulated, decided and implemented.

1. CONDUCTS SUBVERSIVE OF THE DEMOCRATIC ORDER

The Government of the Republic, in person of the President of the Council of Ministers and with the responsibility of all the members currently in office or already in office as of 31 January 2020, has made itself liable first of all of the crime provided for and punished by Article 287 bis of the Penal Code, a crime absorbed into the crime provided for by Article 270 bis of the Penal Code. **The Government has patently usurped the legislative power entrusted by the Constitution to Parliament.** With unjustified and instrumental abuse of the decree-law, it has usurped legislative functions by issuing decrees on everything, even on issues unrelated to the health emergency, justifying the urgency and necessity on the persistence of the emergency itself.

The Government of the Republic, in person of the President of the Council of Ministers and with the responsibility of all the members currently in office or already in office as from 31 January 2020, has also been responsible of the crime provided for and punished by Article 270 of the Criminal Code, a crime absorbed into the crime provided for by Article 270 bis of the Criminal Code. **The Government has violated the constitutional framework, that concept of institutional system from which the legitimacy of the public function, the orderly progression of powers and competences, the orderly hierarchy of the sources of law derive, ending up by distorting the institutional structure of a parliamentary democracy.**

The Government has violated the law, ex plurimis, Legislative Decree 1 of 2 January 2018 by extending, with Decree Law No. 105 of 23 July 2021, the state of emergency originally adopted on 31 January 2020. Currently in violation of Legislative Decree 1/2018, the Government is preserving the emergency condition beyond the maximum duration provided for by the same Decree; at the same time, the concentration of "non-ordinary" and non-attributed powers persists, starting with the legislative function of the Chambers, which

are characterised as the constitutional body depositary of the power to legislate, therefore to impose limitations on citizens' freedom.

The Government's authoritarian turn appears, as far as is evident, to be an attempt to normalise the institutional set-up on the basis of emergency parameters, so that at the end of the emergency that extraordinary but normalised set-up will end up being crystallised and irreversible.

The mere prospect of this new "normality" constitutes a real subversive act, because it aims at substantially transforming the democratic parliamentary Republic into an institutionalised dictatorship through a model of centralisation of decision-making power and financial resources, with the executive power so strong that it is no longer subject to the democratic mechanisms of limitation and control of the checks and balances deriving from the application of the constitutional principle of separation of the powers of the State.

In violation of Article 287 of the Criminal Code, i.e. in the illegitimate exercise of a political power deriving from lack of **attribution** and lack of power, the Government has ordinarily exercised and is exercising its legislative function, up to now by issuing a literally compulsive mass of Decree-Laws, Prime Ministerial Decrees, Ministerial Decrees and **Circulars**, Protocols and Guidelines; acts of the Government that have formally subverted the constitutional order and the hierarchy of sources and - in substance - offended personal freedoms and fundamental rights.

Article 270 bis of the Penal Code prosecutes such subversive conduct aimed at undermining the democratic order. According to the text, anyone who promotes, sets up, organises, leads or finances associations proposing to carry out acts of violence for the purpose of subverting the democratic order shall be punished by imprisonment from seven to fifteen years, while anyone who only takes part in them shall be punished by imprisonment from five to ten years.

2. ON THE EXISTENCE OF THE SUBVERSIVE ASSOCIATION

The existence of the associative bond is a well-known fact. DRAGHI Mario, together with SPERANZA Roberto, FIGLIUOLO Francesco Paolo and hundreds of other well-known personalities, openly operate in an institutional control room, constituted by the Council of Ministers of the Italian Republic, which in turn is the result of political agreements, in turn constituting the insuperable proof of convergence of the activities of individuals for the pursuit of a unitary aim, which grounds the evidence of the existence of their association. DRAGHI Mario, in particular, heads this association. His personal and social status as head of government does not exempt him from responsibility under Article 3 of the Constitution.

The association led by Mario DRAGHI openly proposes to carry out acts of political violence, with the clear declaration of having decided to materially oblige the administration of an experimental serum to the entire population through coercive means and in the absence of any caution.

This is immaterial violence, well defined as "political violence", carried out with actions and statements of great psychological impact perpetrated in order to achieve the objectives of overthrowing the institutional system outlined by the Italian Constitution and forcing citizens to obey the will of the Government, under penalty of loss of fundamental freedoms and inviolable human rights for those who do not obey. It is verbal violence that fuels campaigns of hatred and discrimination, in open violation of EU Regulation 953, which indicates the guiding principle of not discriminating against those who have chosen not to undergo experimental health treatment.

DRAGHI Mario's statements of 22 July 2021 remain engraved in the memory: *"The call not to vaccinate is basically a call to die. You do not vaccinate, you get sick, you die. Or you make others die: you do not vaccinate, you get sick, you infect, someone dies"; as well as: "The green pass is a measure by which Italians can continue to have fun, to go to restaurants and shows outdoors and indoors, with the guarantee of finding themselves among people who are not contagious"*.

And it is a violence that has affected and aims to affect the free choice of the citizen, who is even materially singled out as an 'infector' and forced to perform an act of self-disposition without having the will to do so, with the violent political act preventing him/her from working, from receiving an income, from moving around, from frequenting people, places and events.

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3. ILLEGITIMACY OF THE STATE OF EMERGENCY

The state of emergency was declared by Decree of the Council of Ministers of 31 January 2020 pursuant to and for the purposes of Article 7(c) and Article 23 of Legislative Decree No. 1 of 2 January 2018 - the so-called "Civil Protection Code" - originally until 31 July 2020, then extended from time to time, up to twelve months, until 31 July 2021.

The emergency legal context initiated by the declaration of 31 January 2020, in depriving the Parliament of the legislative function dictated by Article 70 of the Constitution, has redrawn the constitutional balance, to the advantage of the executive power, which has been able to act in derogation of the laws of the State and undertake reforms of the entire organisation of the public administration, health, school and justice.

The government has spread false news about numbers of contagions, deaths, correlations, hospitalisations, cures, vaccinations, terrorising the population through media campaigns encouraged by financial contributions to the publishing industry.

The campaign of terror has induced unsuspecting and ignorant citizens to calmly turn to the vaccination hubs to be administered an experimental gene serum, whose adverse reactions are causing a veritable massacre across the planet.

With a trickle of decree-laws, administrative acts and ministerial circulars, the Government has literally overturned the Order of the Republic outlined in the Constitution, overstepped the principle of the separation of powers of the State and centralised within itself a strengthened legislative power, thus subverting the hierarchy of the

sources of law production to the point of rewriting the foundations of our legal system, radically cutting fundamental rights and personal freedoms, through executive regulations harmful to essential human rights and to the basic constitutional principles of the Republic. All individual and social rights and all personal and collective freedoms have been and are being trampled upon, with their limitation and with the restriction even of the possibility of effective protection, such as the impediment to defence in court, even to the point of admitting the cessation of their recognition, as in the case of the impediment to those living on an island to leave or return to it.

The acceptance by many of this situation rested on the induced conviction that it would be an exceptional and temporary limitation, with a precise beginning and a predetermined end, as provided for by the law that originally permitted it (Legislative Decree 1/18). The distortion of the hierarchy of the sources of law, with practices and customs often overriding even the Constitution and international treaties, as well as the violation of rights and all constitutional freedoms together with the reduction to one of the inherent tripartition of the functions of the State, would have remained in history as a necessary evil that could not be avoided to prevent a worse evil, the last resort to avoid a massacre and the collapse of the national economy.

History would be left with the justification of an unforeseeable contingency and the simultaneous absence of a suitable and effective government instrument to counter a danger as great as it was unknown. Posterity would have read in the history books that the Constitution of the Italian Republic outlined a form of State for which no one could escape limits and controls, but that in a condition of emergency the Government had been forced, out of responsibility and a spirit of humanity, to grant itself full powers, without limits and without control, without the ordinary times and forms, which would have slowed down its salvific action and created an obstacle to the need to intervene without the pitfalls and delays of the democratic decision-making mechanisms.

Not even the Consolidated Text of Health Laws, specifically designated as the State Law for the management of infectious diseases, approved in 1934 and still in force today, provided for full powers, despite being a regulation produced by a non-democratic regime. On the other hand,

the reassuring Civil Protection Code, in force since 2018, has provided that with the declaration of the state of emergency of national importance, an extraordinary mobilisation of the National Civil Protection Service is triggered in the Republic.

The declaration of the state of emergency has given rise to the legitimacy of extraordinary operating methods, which would otherwise have been illegitimate, even illegal, thus permeating the legal system with derogations, to the point of completely overturning hierarchies, competences, attributions, rights and freedoms.

Until when is extraordinary action legitimate, what is the time limit for the legitimate exercise of an action that exceeds the normal limit?

The answer to the question cannot be trivial, since extraordinary, therefore out of the ordinary, is a moment, a period, certainly not "always", because if the extraordinary moment becomes perennial, what follows is a "new" normality, which passes through the normalisation of the extraordinary measures. The answer to the question is found, therefore, in clear letters, in the third paragraph of Article 24 of the Civil Protection Code (Legislative Decree number 1 of 2018) which indicates in plain words the term of duration of the state of emergency of national importance: it "cannot exceed 12 months, and can be extended for no more than a further 12 months". The provision, therefore, provides in abstract for an absolute maximum term of twenty-four months, which is made up of the sum of the maximum duration term of twelve months for its first genetic phase, to which a further term of a maximum duration of twelve months could be added for a second extended phase.

On the basis of the general criteria for the application of legal time limits, the provision of a maximum time limit does not ipso facto prevent the anticipation of the cessation of legal effects at an earlier time than the maximum permitted time limit, given that it is a final time limit in relation to a period in which the exercise of a faculty may be exhausted earlier. This is exactly what happened with the Decree of the Council of Ministers of 31 January 2020, which originally - in its first genetic phase - established the duration of the state of emergency in six

months, starting from the date of the "present measure", therefore until 31 July 2020.

Ex officio, the Decree of the Council of Ministers of 31 January 2020 autonomously established that the emergency would last six months, until 31 July 2020. As a result, having exhausted the first genetic phase, which was set within the one-year period allowed by the Law, the Government decided to go beyond 31 July 2020 by exercising the faculty of extension for a further maximum period of twelve months, as provided for by the same law; this starting from the expiry of the first genetic phase, i.e. from 31 July 2020. In fact, with the Decree of the Council of Ministers of 29 July 2020, the Government extended the state of emergency first until 15 October 2020, then until 31 January 2021, then until 30 April 2021, and finally until 31 July 2021, thus exhausting the maximum extension period of "a further 12 months" established by Article 24, paragraph 3, of Legislative Decree 1/18.

It follows that the cessation of the effects of the declaration of the state of emergency was completed peremptorily as of - at the latest - August 1, 2021, with the deprivation of the legal basis for all the rules arising from the declaration itself. The further extension provided by Decree-Law 105/21 was therefore a clear violation of the law, in particular of the aforementioned paragraph 3 of Article 24 of Legislative Decree 1/18, so much so that it was no longer mentioned in the preambles of the acts of the Government having the force of law since Decree-Law 172/21 of 26.11.2021

This is a condition that is highly detrimental to inviolable rights and the democratic order, which requires the energetic intervention of those who have sworn to guard the defence of the homeland against events that could subvert its structure (Article 52 of the Constitution). Those who exercise public office are called upon to be loyal to the Republic and to abide by the Constitution and the Laws (Article 54 of the Constitution), in compliance with Article 139 of the Constitution which states that the Republican form of our State cannot be modified in any way.

"Sovereignty belongs to the people, who exercise it in the forms and within the limits of the Constitution" (article 1, paragraph 2, Constitution) is not a predicate of the past, just as the forms and limits

of its exercise remain current, which are manifested through parliamentary forms (article 55 et seq. of the Constitution) and democratic institutions limited by precise boundaries of attribution and competence, in a balance of checks and balances that do not allow anyone to overturn the democratic order and replace the representatives directly elected by the People in defining the collective interest (Article 83 et seq. of the Constitution). The strictest observance of the Constitution and the Law is necessary in order not to be catapulted once again into the perennial, never-ending '*normalised*' emergency nightmare.

The extension of the state of emergency beyond 31 July 2021 is incontrovertibly unlawful, as it is in breach of the law (article 24, paragraph 3, of Legislative Decree 1/18), and is criminally illegal as a multi-offence crime, first and foremost against the personality of the State. Moreover, the extension offered a clear retrospective on past measures, which by nature and context amount to the crime of usurpation of a political power, in particular of the legislative function of the Parliament, which the Government continues to unduly exercise with decrees-laws with deferred effect, thus in violation of Article 77 of the Constitution for the lack of the requirement of urgency, thus persisting in the violation of Article 287 of the Criminal Code. In other words, **all the emergency decrees of the Conte/Draghi governments are characterised as the articulation of a single regulation, which is however broken down and disjointed into several decrees, each of which affects one or more social categories by sector or aggravates previous restrictions or impositions, until the double conclusive result, regardless of the real trend of the epidemiological curves, of subjecting the entire population to a pharmacological trial and of normalising the current institutional set-up, based on a state of emergency.** For years, decrees have been issued compulsively, often with deferred effectiveness, without any care to explain in the preamble the non-sufficiency of the already existing rules, so much so that there has been the issuance of decree-laws without waiting for the effects of the application of the immediately preceding emergency decree, as was evident most recently with the decree-laws of 24.12.21, 30.12.2021 and 07.01.2022. In addition to the violation of the limits of legitimacy of

the Government's action pursuant to Article 77 of the Constitution, there has also been a violation of Article 15 of Law 400/88, which governs the activities of the Government and the organisation of the Presidency of the Council of Ministers. As evidence of this insurmountable fact, the decree-law 122/21 has not been converted into law, thus determining the cessation of the vaccine requirement contained therein, but with subsequent Decree-Laws (DL 172/21 and subsequent) the same obligation was extended in a form even aggravated.

The measures that have followed since the declaration of the state of emergency to date, therefore, constitute by their nature and context a common thread, a plot, which reveals the psychological element of intent and premeditation to subvert the democratic order. These measures, in addition to causing serious economic and social damage to the country, represent the violent and terrorist method used to intimidate the population. They constitute, therefore, proof of subversion, that is, of those subversive and terrorist conducts as defined by Article 270 sexies of the Criminal Code. Directives, circulars, notes and decrees of the Government, in fact, have induced subordinates to perform otherwise abnormal acts or to refrain from performing acts of their office. As a cascade, the entire administrative action has conformed to the formal and substantial suspension of every right, freedom and guarantee.

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4. LIMITATIONS OF PERSONAL FREEDOMS

4.1 VIOLATION OF THE CONSTITUTION. The plethora of decrees ultimately led to the violation of the constitutional right of individual health care choice with respect to the limit of public health protection, while numerous rights and freedoms were violated, disappplied, compromised or seriously threatened and, consequently, constitutional guarantees were violated, with particular regard to the following non-exhaustive list of provisions of the Italian Constitution.

Article 1 - The forms and limits of exercise of popular sovereignty, constituted by the democratic institutions outlined in Article 55 and following of the Constitution have been violated.

Article 2 - Violation of the inviolable rights of the human being, both as an individual and in social groups.

Article 3 - Discrimination against citizens on account of political opinions and personal and social conditions.

Articles 4, 35, 36 and 38 - Work hindered and citizens deprived of income and any form of welfare.

Article 10 - Disregard of international law prohibiting trials without consent (e.g. Oviedo Convention).

Article 11 - EU Regulation 953 not complied with.

Article 13 - Violation of personal freedom outside the cases foreseen by law.

Article 16 - Freedom of movement prevented.

Article 17 - Right of assembly obstructed.

Article 24 - Deprivation of the right to defence in court.

Article 31 - Exposed pregnant women to adverse reactions often culminating in miscarriages; exposed childhood and youth to a dystopian and inhuman dimension of life.

Article 32 - Imposed by decree law a vaccination requirement consisting of an innovative gene treatment being tested, without care of any limits imposed by the respect for the human person, indeed through blackmail and sanctions.

Article 33 - Doctors, scientists and all those who did not align themselves with the government's pandemic narrative defamed and persecuted, even with disciplinary measures.

Article 41 - Private initiative prevented.

Article 49 - Prevented the free association of citizens in parties, as a consequence of the violation of Articles 13 and 16.

Article 54 - Betrayed the Republic, violated the Constitution and the laws.

Article 70 - Exempted the legislative function of Parliament.

Article 77 - Urgent decree without its essential requirements.

Articolo 139 - Substantial change in the democratic balance of the Republic in the concrete relationship between the Government and citizens and between the Institutions.

4.2 VIOLATION OF THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION. Articles 1 and 3 of the "Charter of Fundamental Rights of the European Union" proclaimed in Nice in December 2000, legally binding in the European Union since December 2009 with the entry into force of the Lisbon Treaty, have been violated.

4.3 VIOLATION OF THE COUNCIL OF EUROPE RESOLUTION. The Resolution of the Council of Europe of 27 January 2021 expressly ruled out the possibility for the States to make anti-COVID vaccination compulsory (point 7.3.1) and prohibited its use to discriminate against workers or anyone who decides not to avail themselves of it (point 7.3.2).

4.4 VIOLATION OF THE NUREMBERG CODE. In particular, of article 1 of the Nuremberg Code, for which voluntary consent is absolutely essential. This means that the person concerned must have the legal capacity to give consent; that he/she must be in a position to exercise free decision-making power without intervention by force, fraud, deception, threats or any form of constraint or coercion; that he/she must have sufficient knowledge and understanding of the elements involved in the study to enable an informed and reasoned decision. This last element ensures that before the subject decides in favour, he/she is informed about the nature, duration, purpose of the trial, as well as the methods by which it will be conducted, any discomfort or potential danger and possible health effects that could result from participating in the trial. Rule to be related to the uncertainty of current scientific data on the effectiveness and safety of gene treatments, also underlying article 3 of Decree Law 44/21 with the criminal shield for health vaccinators in case of death or injury, even very serious in subjects subjected to the inoculation of the experimental drug.

4.5 VIOLATION OF THE OVIEDO CONVENTION. Article 5 of the Convention for the Protection of Human Rights and Dignity of the Human Being with Regard to Applications of Biology and Medicine, adopted within the framework of the Council of Europe and also signed by Italy in Oviedo on 4 April 1997, has been infringed, even though it is not immediately applicable in Italy because it has not been ratified.

4.6. CONCRETELY. The stabilisation of the legal framework resulting from the emergency situation was announced by the then Prime Minister, Mr Giuseppe Conte, as early as 9 March 2020, on the occasion of the very first President of the Council of Ministers Decree. Subsequently, in a single criminal design, since March 2020, the Conte Government has adopted measures aimed at containing the spread of the Sars-CoV2 virus through acts in the form of President of the Council of Ministers Decrees, reducing the legislative function to a mere administrative act. This is the first subversive act, consisting in the usurpation of a political power, as provided for and sanctioned by Article 287 of the Criminal Code.

At the same time, the government, with the Civil Protection apparatus, which depends directly from the President of the Council of Ministers, and with the apparatus of the National Institute of Health, which depends directly from the Minister of Health, terrorised the population with live television health bulletins that did not distinguish between asymptomatic, and therefore healthy, and sick people and attributed the physiological daily mortality rate to the Sars-CoV2 contagion. The data offered on live daily television were later denied by the National Institute of Health.

At the same time, the Ministry of Health and the Italian Medicines Agency (AIFA) declared that there were no known cures and urged doctors not to treat suspected SARS Cov-2 patients. As a result of the guidelines issued by the Ministry of Health, many doctors who had cured patients suspected of having Sars-CoV2 by means of effective home or hospital treatment were subjected to disciplinary proceedings on the grounds of deviation from ministerial protocols. Disciplinary proceedings affected not only those directly concerned, but also acted as a deterrent to many other medical practitioners in relation to their approach to treatment in accordance with their science and conscience. At the same time, the Ministry of Health imposed the distribution of the protocol known as 'Tachipirina (paracetamol) and watchful waiting', which was ultimately rejected by the Lazio Regional Administrative Court in judgment No 419/22 of 15 January 2022.

At the same time, the Minister for Health imposed the distribution of its protocol advising against autopsies and encouraging the immediate incineration of corpses. Despite the 'ban' on autopsies, the first

autopsies carried out on the initiative of certain health professionals and requested by the public prosecutor of Bergamo, first and foremost by the author of this letter, on 18 March 2020, revealed to the world the characteristics of the pathology, which did not consist of bilateral interstitial pneumonia (Covid19) as claimed by the Government but of pulmonary thromboembolism, in turn caused by the application of the Ministry of Health's protocol 'Tachipirina (paracetamol) and watchful waiting'. The pulmonary thromboembolism, it was later discovered, was treatable with heparin, ivermectin and other anti-inflammatory remedies. However, the Ministry of Health issued a circular inviting doctors to intubate patients who died as a result of this medical practice. Similarly, the circular called for the cremation of the bodies of patients who died after intubation following a contagion treated with 'Tachipirina (paracetamol) and watchful waiting'. Despite this, the Ministry of Health is still distributing Tachipirina and 'watchful waiting', indicating that the only way of combating the virus the preventive treatment with 'new generation vaccines'.

As proof of the political violence of the subversive association, in order to encourage citizens to vaccinate, the Government, in person of the President of the Council of Ministers, first Mr Conte Giuseppe and then Dr Draghi Mario, has adopted progressively more and more liberticidal measures, to the point of annihilating fundamental rights and personal freedoms. It has restricted or prevented many workers in different production sectors from working; restricted and prevented them from moving freely; imposed the use of personal protective equipment against all scientific evidence; required workers to undergo, at their own expense, non-diagnostic anti-hygienic or molecular tests aimed at diagnosing Sars-CoV-2, every two days, in order to be able to carry out their work; from 1 April 2021, with Decree-Law 44/21, it has required workers in the health sector to undergo the "Sars-CoV-2 vaccination", under penalty of suspension from employment and from carrying out their work, without pay or provision for maintenance allowance; then, by Decree-Law 172/21, it required workers in the school sector to undergo the 'Sars-CoV-2 vaccination', under penalty of suspension from work, without pay or provision of maintenance allowance; then, it has required workers in the police to undergo the "vaccination against Sars-CoV-2", under penalty of

suspension of work, without pay or provision of maintenance allowance; it has prevented unvaccinated citizens to use public and private transport, including ferries to and from the islands, thus effectively confining them; it has prevented non-vaccinated citizens from going to places where sports and/or recreational activities are carried out; has prevented non-vaccinated citizens from going to bars, restaurants, places where cultural and sports activities and large events are held (cinemas, museums, theatres, stadiums, spas, etc.); it has introduced the so-called 'Green Pass', the Green Certification, as an electronic document to certify the 'immune status' necessary to be able to work, including voluntary work, and to access social activities; then, it introduced the so-called 'Super Green Pass', as an electronic document capable of certifying the 'immune status' that is achieved only by recovering from the disease or undergoing vaccination against SARS-CoV-2; it has introduced limits on the validity of electronic certification of immunity, initially at 12 months, then at 9 months, and finally at 6 months; it has introduced the obligation to undergo the so-called primary vaccination cycle, declaring it sufficient for immunisation; then, it has introduced the obligation for certain categories of workers to undergo, after the so-called primary vaccination cycle, the third so-called booster dose; it has instructed private staff to carry out the verification of health certificates of free citizens, which implies access to sensitive personal data; it has authorised private individuals first, and then the Revenue Agency (with Decree - Law 1/22) to access sensitive data on personal health status, in violation of the right to privacy; it has extended the obligation to show the Super Green Pass to free citizens and foreigners present in Italy, including non-workers, who have reached the age of 50, and laid down penalties in the event of failure to comply with the obligation; it has provided for further restrictions on the right of free movement of citizens in the event of an increase in the number of infections, which increase proportionately with the increase in the number of swabs, in the various regional areas marked out for this purpose by the colours white, yellow, orange and red; it has strongly recommended vaccination against SARS-CoV-2 also for pregnant women, as well as for minors under the age of 18 and, to date, for the 5 to 12 age group.

Decree-Law 1/22 is preventing people not in possession of the COVID-19 Green Certification from accessing essential services, public offices, postal, banking and financial services, commercial activities, face-to-face interviews with detainees and inmates, judicial offices, where the Green Certification is also required to defenders to access to premises where they carry out their defence activities pursuant to Article 24 of the Constitution.

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5. NORMALISATION OF THE EMERGENCY

The theme of stabilising the legal framework of extraordinary powers of the government, which originally arose from statements of the Prime Minister Giuseppe Conte, has become a constant in the public statements of his successor, the current Prime Minister Mario Draghi.

Since Decree-Law 172/21, the emergency decrees limiting the rights of citizens and workers, including those relating to movement and to salaries, no longer include among their prerequisites the declaration of a state of national emergency. Decree-Law 172/21 represents, therefore, the turning point in the legislation of the Government, which intended to detach the new rules from the emergency framework, thus determining in law the normalization of limitations of freedoms *sine die*, without any link to a deadline for the cessation of restrictions. In other words, with the emergency decrees, based on the declaration of the state of emergency on 31.01.2020, the legal weave was woven that today supports further normative production capable of self-supporting itself, without therefore needing to have at its base a declaration of a state of emergency. **If until Decree - Law 172/21 the previous decree-laws were apparently justified by the declaration of the state of emergency, since Decree -Law 172/21 every restriction and limitation is imposed on the previous decrees but no longer on the state of emergency.**

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6. COMPLETE SUBVERSION OF THE LEGAL SYSTEM

In law, a new relationship between the Government and the citizens, between the governors and the governed, appears normalized. Such "normalization" is, in practice, the subversion of the democratic order, as provided for and punished by Art. 270 bis, coordinated with Art. 270 sexies, of the Criminal Code.

The effects of the emergency pandemic decrees have overturned the principles at the basis of the Italian constitutional system and of the relative guarantees, as explained above.

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7. INDIRECT VACCINATION OBLIGATION AS THE FIRST OBJECTIVE MANIFESTATION OF SUBVERSION

It is an undisputed principle of our legal system that health is a constitutional right and an interest of the community, which does not necessarily presuppose the sacrifice of individual choice. In order to properly weigh up a collective interest capable of sacrificing individual freedom, it is necessary to investigate the fundamental premises concerning the nature of the virus, the possible pathologies and the numbers of the health emergency.

First of all, it should be pointed out that Sars-Cov-2 has never been isolated, in the sense that no laboratory in the world has been able to document its existence on a clinical and instrumental level. This fact, which is, moreover, the fundamental premise of all that is said in the narrative, deserves rigorous investigation and cannot be left to popular credulity or to the well-known fact, which in turn is the result of a constant media operation of mystification.

Then the swab, which is a scientific research tool and has no function in diagnosing a viral infection, was used to search for a virus that had never been isolated in healthy subjects without any symptoms, the so-called 'asymptomatic'.

Moreover, the contradictions on the subject are inexhaustible, with the transport of the serum at 'minus eighty' degrees Celsius and its subsequent administration even on the beach with an external temperature of 'plus forty' degrees Celsius; in the same way, serums

were administered in heterologous form, i.e. with different chemical operating mechanisms, taking doses even from 'expired' batches.

And again, after the first two doses, a third dose was allegedly needed because of the variants, with a fourth dose already in sight and periodic gene treatment for at least the next ten years.

Above all, in order to grasp the aim of the subversion, it is necessary to understand the solution proposed by the companies quoted on the stock exchange, which the government puts before the free choice of the citizen: the experimental gene treatment, improperly called 'vaccine', in fact, affects the performance of the shares of the producing companies on the international markets.

For this reason, the numbers of the 'pandemic' must be verified.

In the light of the data offered by the National Institute of Health on the actual lethality rate of the Covid-19 disease and on the immunising inability of vaccines with respect to the Sars-CoV-2 virus, also with regard to the so-called variants, and by the National Agency for Health Services on hospitalisations, the declaration of a state of emergency first and then the generalised vaccination obligation could not be affirmed as reasonable and proportionate.

Indeed, in the light of the known data on the percentage of serious infections and deaths caused by Covid-19, the extension of the state of health emergency well beyond the maximum permissible period laid down in Legislative Decree 1/2018 cannot from the outset be considered well-founded, reasonable, proportionate or permissible.

Even more serious is the fact that the Government continues to conceal adverse reactions, which are fatal to the point of death. The Government is therefore also responsible for the crime of massacre: for not having communicated safety data, thus obtaining informed consent on unreal data, moreover extorting consent with the threat of loss of the salary and any other emolument; for the indiscriminate and generalized obligation to vaccinate, without a medical prescription contrary to the same therapeutic indications reported by the manufacturer and without prior scrupulous anamnesis of the person concerned, so as to be able to exclude as much as possible the occurrence of adverse effects, especially in light of the

emergence of serious and very serious or fatal adverse events due to vaccination in place.

It should be pointed out that in the event of a health emergency, the Italian Constitution only allows limitations on the right to free movement (Article 16) but does not allow direct limitations on the dignity of the human person, the principle of formal and substantive equality, the right to work, the right to remuneration, the right to free determination of the individual.

The convulsive emergency regulation created by a huge number of decree-laws, administrative acts and ministerial circulars has meant that the Government has literally overturned the Order of the Republic outlined in the Constitution, overriding the principle of the separation of the powers of the State and centralising in itself a strengthened legislative power, subverting the hierarchy of sources of law production to the point of rewriting the foundations of our legal system, radically cutting fundamental rights and personal freedoms, by means of executive regulations that are antithetical to human rights, constitutional principles and laws.

* * *

In view of the above, I, Lillo Massimiliano Musso, the undersigned lawyer, on my own behalf and on behalf of the committee MILLE AVVOCATI PER LA COSTITUZIONE (ONE THOUSAND LAWYERS FOR THE CONSTITUTION),

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the subversive association described above for the criminal punishment of all those responsible for the offences identifiable in the facts set out above and which may emerge in the course of the investigations, in particular highlighting the completion of the crime under Article 270 bis, as supplemented by Article 270 sexies of the Criminal Code, for having acted with premeditation and wilful deceit to subvert the democratic order, through a coordinated production of administrative acts and decree-laws based on a pretextual declaration of a state of emergency, in turn confirmed by false data on contagions, hospitalisations and deaths, which in turn found the antecedent for the persistence of an emergency indefinitely, conferring extraordinary

powers on the Executive, which intends to normalise the emergency framework in place, which compresses rights and imposes duties beyond any reasonable management of the Republic in the public interest, regardless of the effectiveness of the health issue and with the exclusive aim of preserving *tout court* the extraordinary powers, otherwise not provided for, and therefore prevented, by the Constitution. First in violation of Legislative Decree no. 1/2018, as an act of political violence, derogations to personal rights and fundamental freedoms enshrined in the Constitution were imposed, with concrete injury to very personal rights such as personal freedom, freedom of movement, the right of assembly and manifestation of thought, the right to worship, the right to work, the right to legal recourse, the right to practice or participate in artistic, theatrical, cultural or sporting events, the political rights, the right to education, the rights of economic initiative and property; last but not least, the right to psychophysical integrity, the free choice as to whether or not undergo pharmacological therapies and experiments. Subsequently, outside the call of the state of emergency, the state of emergency was tacitly normalised as a pretext for recourse to urgent decrees under article 77 of the Constitution. The result has been the usurpation of powers not belonging to those deciding even for decisions not related to the emergency, until the final subversion of the democratic order and the constitutional order, which requires the reaction, according to law, of the Judiciary, the power of the State called to bring political action back into the democratic enclosure of the Constitution.

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Subject to the participation in the proceeding as civil party of Thousand Lawyers for the Constitution, as a representative body of widespread interests, I remain available for any further clarification and I ask to the Honorable Prosecutor to intervene as quickly as possible against all those responsible, in order to avoid further consequences of the crime, saving the lives of millions of people.

I ask to be informed, according to article 406 paragraph III criminal procedure code, of any request for the extension of the investigations. I ask, also, to be informed, according to article 408 II paragraph criminal procedure code, of any possible request for dismissal.

I request that the following be acquired in the preliminary investigation:

- the scientific evidence of the existence of Sars-Cov-2;
- the scientific evidence of the dangerousness of Sars-Cov-2 in asymptomatic people;
- the scientific evidence of the contagiousness of Sars-Cov-2 by asymptomatic people;
- the scientific evidence of the diagnostic function of swabs in the detection of Sars-Cov-2;
- the data on mortality rates from Covid19;
- the indications of the pharmaceutical companies that have produced anti-Covid19 treatments, in particular the data on which EMA and AIFA have expressed conditional authorization for experimentation;
- the data on immunization achieved with gene treatments;
- the data on adverse reactions from anti-Covid-19 vaccination;
- the data on the mortality rate from anti-Covid-19 vaccination;
- the data on the safety of treatments collected in the short and long term;
- information on the reasons for the failure to provide for the medical prescription required for the administration of these products;
- information on the reasons why the cremation of corpses was carried out in Bergamo.

I ask that already during the preliminary investigations the data on serious adverse effects ascertained as a result of vaccination against Covid-19 are made known to avoid other victims. Additions and documentary production follow.

Yours Faithfully,
Rome, 29 January 2022

Avv. Lillo Massimiliano Musso
Mille Avvocati per la Costituzione
One Thousand Lawyers for the Constitution

