

The trusted man of Vacallo: the judgment of 29 December 2017

*Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland), Solicitor (Hong Kong),
Solicitor (England & Wales)*

The case that most clearly links laundering, logistics and the Mendrisiotto was decided by the Federal Criminal Court on 29 December 2017. The principal defendant, a 63-year-old Italian resident in Vacallo, was described as a trusted operative of the Calabrian *'Ndrangheta*. He had been arrested in Vacallo on 18 December 2014.¹ The court, presided over by Judge Giuseppe Muschietti, sentenced him to five years and six months for support of a criminal organization, money laundering involving millions transferred through Ticino, Dubai and the Bahamas, and violations of the Foreign Nationals Act. The second defendant, a 42-year-old Ticinese and former municipal official in Chiasso, had prepared documents that enabled illegal real estate and financial operations. He was sentenced to three years, of which six months were to be served, for aggravated money laundering, repeated forgery and repeated fraud against the authorities. A third defendant, the wife of a convicted member of the organization, was absent for health reasons.²

The judgment came after a procedural detour. Two years earlier the parties had agreed on an abbreviated procedure with a sentence of four years for support of a criminal organization and qualified money laundering, but the agreement did not lead to a judgment and the case went to an ordinary trial.³ The case shows the type of the local helper. The Ticinese defendant was not a member of the organization and was not convicted under Article 260ter SCC. His contribution consisted in the production of documents, the knowledge of local procedures and the respectability of a former public official, which allowed the organization's representative to buy property and move money through the canton.

1 Imponimento: Grancia and the Anello-Fruci clan (2020–2026)

The Italian operation *Imponimento*, launched in July 2020 by the anti-Mafia district directorate (*Direzione distrettuale antimafia*, DDA) of Catanzaro against the Anello- Fruci clan of Filadelfia in the province of Vibo Valentia, reached Switzerland in several stages. On 21 July 2020 Swiss and Italian authorities conducted a coordinated action with arrests and house searches in both countries. In Switzerland the OAG, fedpol and cantonal police forces acted in the cantons of Aargau, Solothurn, Zug and Ticino.⁴ On 18 June 2021 RSI reported two further arrests in Switzerland at Italy's request. A 60-yearold man employed as a municipal worker in Grancia near Lugano was accused of Mafiatype association and the fraudulent transfer of assets, as a front man for business initiatives of a leading clan member in Filadelfia. A man in Spreitenbach in Aargau was accused of membership of an association for drug trafficking. The two cases had been separated from the main proceedings because the suspects lived in Switzerland.⁵

The Italian proceedings involved 147 defendants charged with Mafia-type association, international drug trafficking, money laundering and corruption.⁶ The former Grancia worker was extradited and convicted in Italy. A Calabrian court of appeal confirmed his sentence of ten years and eight months.⁷ Prosecutors in the ordinary trial sought 71 convictions totalling 692 years. In Switzerland the OAG brought the case of the alleged reference person of the clan before the Federal Criminal Court, where the trial opened on 31 August 2026. The indictment covers the period from early 2001 to July 2020 and alleges that the accused arranged for another affiliate to settle in Switzerland.⁸ Because the alleged conduct ended in July 2020, the court will in principle apply Article 260ter SCC in the version in force before 1 July 2021, unless the new law is more favourable to the accused (Art. 2(2) SCC).⁹ Its judgment will nevertheless show how the Federal Criminal Court treats the evidence of Italian anti- Mafia investigations in a Swiss trial a decade after the Frauenfeld case.

2 Notes

1. Ticinonline, 21 June 2018 (above) (arrest in Vacallo on 18 December 2014). ↩
2. "TPF, processo 'ndrangheta: pronunciate pene di reclusione", SWI swissinfo.ch (ATS), 29 December 2017, <https://www.swissinfo.ch/ita/tpf-processo-ndrangheta-pronunciate-pene-di-reclusione/> 43788610. ↩

3. SWI swissinfo.ch, 29 December 2017 (above). ↩
4. Federal Council, "Coordinated anti-Mafia action in Switzerland and Italy", media release, 21 July 2020, <https://admin.ch/gov/en/start/documentation/media-releases.msg-id-79900.html>. ↩
5. RSI, 18 June 2021 (above). ↩
6. "Imponimento", topic page, laRegione, <https://www.laregione.ch/temi/imponimento>. ↩
7. laRegione, "Imponimento, condanna confermata per l'ex operaio di Grancia" (topic page above). ↩
8. Ticinonline, 31 August 2026 (above); laRegione, "Imponimento, chieste 71 condanne per 692 anni di reclusione" (topic page above). ↩
9. Art. 2(2) SCC (principle of lex mitior), <https://www.droit-bilingue.ch/de-en/3/31/311.0-2-5.html>. Its application to this case is the author's assessment; the court had not ruled at the time of writing. ↩

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