

RA Dr. Enrica Maggi

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**To the Honorable President of the  
United Nations Security Council**

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On copy:

To the Members of the United Nations Security  
To the Security Council Secretariat Branch  
UNSC, United Nations Headquarters  
First Avenue, 46th Street New York,  
NY 10017 United States of America

Klagenfurt, am 24.3.2020

PoteVi/1 / / #LKürzel#

**Object: FREE TERRITORY OF TRIESTE**

We extend the present in the name and on behalf of the Assembly Project Association, to protect the citizens of the Free Territory of Trieste, based in Trieste, via Trebiciano 60/2.

Our Law Firm, based in Klagenfurt (Austria) sent the attached letter in order to ask the member states to which this letter is addressed, to take all the necessary actions in accordance with what is enshrined in the Treaty of Peace n. 747 signed in Paris on February 10th 1947 and in the 16th United Nations Security Council Resolution of 10 January 1947.

Due to the current serious crisis due to the Covid-19 pandemic, we send also you the attached letter addressed by the Popular Assembly of the Free Territory of Trieste and we ask you for an **urgent reply** to the aforementioned letter.

Best regards,

i.a. Dr. Andrea Sannia

Maggi Kathollnig RechtsanwaltsGmbH Studio Legale





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Klagenfurt, am 17.10.2019

PoteVi/1 / / 6SB

**Object: FREE TERRITORY OF TRIESTE**

I write this letter on behalf of the “Assembly Project Association”,

to protect the citizens of the Free Territory of Trieste, later TLT, based in Trieste, via Trebiciano 60/2.

The TLT was constituted following the Treaty of Peace n. 747 signed in Paris on February 10th 1947 (art. 21) between Italy and the victorious powers of the Second World War, whose territory includes the city of Trieste (established by the TLT).

The signing of the Treaty of Peace took place on the 3rd September 1943 and entered into force on the 8th September 1943.

After defeating the enemy powers, Italy signed the Peace Treaty, losing several territories, including Venezia Giulia, a region Trieste belonged to.

In fact, when the Institutional Referendum was announced on the 2<sup>nd</sup> June 1946, Italy voted for the republican form, while the Venezia Giulia (precisely, the provinces of Gorizia, Trieste, Pula, Fiume) as sanctioned by the legislative decree n. 99 of March 16, 1946 did not participate in referendum consultations nor in elections to the new Constitution.

However, the international community immediately understood that the TLT

and in it Trieste, could claim a strategic position, representing an international logistic hub, highly important for the development of the Central European countries and beyond (in fact, as is well known, China has recently declared its interest in the Gulf of Trieste that could become, according to the project of the "New Silk Road", a main hub for the businesses that transit towards Northern Europe).

Since all of this has happened, in fact, the 16th UN Resolution of 10 January 1947 approved the instruments for the provisional TLT regime, the permanent Statute and the tools for the Free Port of Trieste, therefore it assumed the responsibility of guaranteeing the development and integrity of the TLT.

Also in light of this, in 2007 the United Nations Economic Commission for Europe (UNECE), published a brief historical document, in which the path and aims of Unece are reconstructed: *"The Commission will invite representatives of the Free Territory of Trieste (when it is established) to participate in an advisory capacity in examining the Commission of any matter of particular interest to the Free Territory."*

Italy performs the provisions of the Treaty of Peace, first with the law nr. 811 of 2 August 1947 (the Italian Government has been authorized to ratify the Treaty of Peace) and subsequently with the legislative decree of the provisional Head of the State 28 November 1947, ratified with Law nr. 3054/52.

From this moment on, the Allied Military Government, which assumes the functions of provisional Government of the TLT, immediately provides for the creation of the legal and administrative structures of the TLT State in accordance with the provisions of the Peace Treaty and the Permanent Statute. By virtue of this, Italian real estate assets located in the territory are transferred to the TLT, the question of citizenship is regulated with the issuance of identity cards, driving licenses, State symbols are created, a Civil Police is created (as per photographic documentation that is produced). In fact, the TLT participates in international diplomatic relations, as shown by the first convention for so-called economic cooperation "OEEC".

Later on the temporary military regime of TLT changed to a temporary civil regime entrusted to the Italian Government with the Memorandum of London of 5 October 1954 among the Governments of the United States, United Kingdom, Italy and Yugoslavia, assuming Italy an international fiduciary

mandate for the provisional administration of the TLT for the Zone A.

In 1957 with the signing of the Treaty of Osimo between Italy and Yugoslavia, the border between the two countries was fixed, negating to recognize the TLT.

The Treaty of Osimo constitutes a manifest violation of the Peace Treaty signed by Italy and the victorious powers of the Second World War due to the fact that the Treaty of Osimo does not recognize the TLT.

Moreover, the Treaty of Osimo has been only by Italy and Yugoslavia and not by all the Treaty of Peace signatory countries.

Due to the above-mentioned circumstances, we ask you formally on behalf of the Free Territory of Trieste **to take all possible measures for the fulfillment of the Treaty of Peace and the recognitions of the TLT.**

Your sincerely,  
Ra, Enrica Maggi Avvocato





To the Honorable President of the  
United Nations Security Council

On copy:

To the Members of the United Nations Security

To the Security Council Secretariat Branch

UNSC, United Nations Headquarters

First Avenue, 46th Street New York,

NY 10017 United States of America

Trieste, Free Territory of Trieste, 23st March 2020

**Subject: Urgent actions required in relation to COVID-19 Pandemic in the Free Territory of Trieste**

Following the WHO's declaration of pandemic due to to the spread of COVID-19, the Popular Assembly of the Free Territory of Trieste asks the intervention of the United Nation Security Council in order to:

Urgently address immedate actions in relaton to the violations in place in the Free Territory of Trieste. These actions are requested following the violations of international obligation by the Trusted Italian Administration <sup>1</sup>

- Urgently adress the question of the Free Territory of Trieste at the next meeting of the UN Security Council. Whereby to re-introduce the nomination of a Governor for the Free Territory of Trieste in next council's meeting. The Popular Assembly specify that this request is based not only on the health emergency, but also to protect the Territory's integrity, neutrality and security, and to safeguard the international economic interests related to the functioning of the Free Port of Trieste. If no actions are taken, the Free Territory of Trieste will face consequences in several areas: economic, social, civil, political and cultural rights. <sup>2</sup>
- Urgently displace Blue Helmets on the border with Italy to avoid the spread in the Zone A of the Free Territory of Trieste (specifically in the area of Duino – Devin / Rabuiese – Skofje ) to provide the necessary support the Territory in this difficult moment while requesting the Italian Government to immediately recall in its territory the military forces sent to patrol the Territory. <sup>3</sup> The Popular Assembly also asks the UN Security Council to re-establish the individual freedom of the citizens that are now facing curfew and home arrest by the Italian military forces, with no possibility for citizens and residents to leave their houses without incurring in the risk of being arrested (Annex 1 - photos). These enforcement



actions also follow the protest of the citizens to apply the laws and regulations related to the Free Territory as per international agreements<sup>4</sup>.

The Popular Assembly ask the UN Security Council's intervention for the reasons below:

1. The Italian Commissary for the Zone A of the Free Territory of Trieste has not activated any measure to protect the population of the Free Territory of Trieste, its economy, its integrity and its neutrality, violating the mandate as per Memorandum of London (1954). The Commissary is also not answering to any request made by the Popular Assembly in relation to the emergency.<sup>5</sup>
2. As soon as the health emergency started, and without considering the low number of people affected on the Free Territory of Trieste, the Italian Government has violated its mandate activating measures on the Territory created unprecedented damages in several areas: economic, financial, social, psychological and the restriction of individual freedom, with impact on future generations that will last for decades, affecting lives of citizens and residents and the future functioning of the Territory's economy<sup>6</sup>. The measures taken by the Italian Government up to the 20th March 2020 include:
  - a. Forced closure of all businesses of the Territory for good, enforcing the collapse of the Territory's economy and the support to the local businesses, with no plans on future reactivation of the economy.<sup>7</sup>
  - b. Since 17<sup>th</sup> March 2020 – residents and citizens violating the curfew and the quarantine (home arrest) would face from 3 to years in jail.
  - c. Since 18<sup>th</sup> March 2020 – displacement of military armed forces on the Free Territory of Trieste patrolling the streets to enforce citizens' and residents' home arrest/curfew.<sup>8</sup>
  - d. Because the Italian Government didn't comply with the creation of a free Territory's currency, but linked to Territory's economy to the Italian's, the economical damage for the the Free Territory during and after the COVID – 19 emergency will be catastrophic for both the Territory, the International Free Port reflecting on the Countries involved in its use.<sup>9</sup>

Please see attached the Reference List and the photos related to the current situation. For further information please do not hesitate to contact us. Looking forward to hearing soon from you in relation to this emergency situation, we thank you for your attention.

On behalf of the Popular Assembly of the Free Territory of Trieste,

Sincerely,

Pres. Assemblea Popolare

Vito Potenza

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