



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 immediate actions in relation 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 ¹

- Urgently address 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. ²
- 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. ³ 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 agreements⁴.

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.⁵
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 economy⁶. 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.⁷
 - b. Since 17th March 2020 – residents and citizens violating the curfew and the quarantine (home arrest) would face from 3 to years in jail.
 - c. Since 18th March 2020 – displacement of military armed forces on the Free Territory of Trieste patrolling the streets to enforce citizens' and residents' home arrest/curfew.⁸
 - 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.⁹

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



Reference list:

- ¹ (*Memorandum of London, October 1954, Charter of United Nation; Art.77 §.1 letter b*). *The Popular Assembly would like to remind that at the letter b mentioned, in the French official language: b) territoires qui peuvent être détachés d'Etats ennemis par suite de la seconde guerre mondiale;*
- ² (*see Treaty of Peace with Italy – Paris February, 10 – 1947, Section III – F.T.T. Art.21 §1*)
- ³ (*see Treaty of Peace with Italy – Paris February, 10 – 1947, ANNEX VI Permanent Statute of the Free Territory of Trieste (see Art.21) Art.3 Demilitarisation and neutrality points 1; 2; 3; 4*)
- ⁴ (*see International Law Commission at its fifty-third session, in 2001 – A/56/10 – CHAPTER I GENERAL PRINCIPLES; Art.1: [...] An internationally wrongful act of a State may consist in one or more actions or omissions or a combination of both. [...]; Non-application: Resolution XVI January 1947 – Treaty of Peace with Italy Paris February 1947 – Memorandum of Understanding London October 1954*)
- ⁵ (*Decree of the President of the Italian Republic, Nomina di un Commissario generale del Governo per il territorio di Trieste, GU n.249 (3555), 28th October 1954 and Commissary Decree no. 36, Ordinamento del Commissariato generale del governo per il territorio di Trieste, 24th November 1954*).
- ⁶ (*see General Assembly A/RES/48/141 7January 1994 and artt.80; 83 – Charter United Nation*)
- ⁷ (*see Accord général sur les tarifs douaniers et le commerce – Geneve 30 octobre 1947- Annency 10 octobre 1949, PARTIE III, Art.24, Application territoriale – Trafic frontalier – Unions douanières et Zones de libre échange, point 3 lettre b) ou aux avantages accordés au commerce avec le Territoire libre de Trieste par des pays limitrophes de ce Territoire, à condition que ces avantages ne soient pas incompatibles avec les dispositions des Traités de paix résultant de la seconde guerre mondiale*)
- ⁸ (*see Treaty of Peace with Italy – Paris February, 10 – 1947, ANNEX VI Permanent Statute of the Free Territory of Trieste (see Art.21) Art.3 Demilitarisation and neutrality points 1; 2; 3; 4*)
- ⁹ (*see International Law Commission at its fifty-third session, in 2001 – A/56/10 – CHAPTER I GENERAL PRINCIPLES; Art.2, [...]Article 2 specifies the conditions required to establish the existence of an internationally wrongful Act of the State, i.e. the constituent elements of such an act. Two elements are identified. First, the conduct in question must be attributable to the State under international law. Secondly, for responsibility to attach to the act of the State, the conduct must constitute a breach of an international legal obligation in force for that State at that time.[...] Non-application Art.30 Annex VI – Permanent Statute of F.T.T.; following as Charter United Nation , Artt.79; 80 § 1, 2*)



ANNEX 1

<https://www.telefriuli.it/cronaca/militari-esercito-italiano-assegnati-provincia-trieste-controllo-confiniclandestini/2/203843/art/>



March , 2020 – Downtown area-

FREE TERRITORY OF TRIESTE

Assemblea Popolare



Assembly Project

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**Commissario Generale di Governo
per il Territorio di Trieste, Dott. Valenti Valerio**

Government Commissioner for the Territory of Trieste



March, 2020 – Piazza della Libertà – Railway Station, Trieste



March, 2020 – Piazza della Libertà – Railway Station, Trieste



March, 2020 – Piazza Unità – Government Commissioner Building; city Hall Trieste

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March, 2020 – Piazza Goldoni – neighborhood of the heart of the City, Trieste

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