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of the United Nations

International Provisional Representative of the FREE TERRITORY OF TRIESTE

Rappresentanza Internazionale Provvisoria del Territorio Libero di Trieste
Začasno Mednarodno Predstavnistvo Svobodnega Tržaškega Ozemlja
Provisorische Internationale Vertretung des Freien Territoriums Triest

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A new expertise confirms the international legal obligations of the Italian Republic and of the Italian Government respect to the present-day Free Territory of Trieste and the pertinent obligations respect to all other States and the United Nations.

Today is the anniversary of 10 February 1947, when the Allied and Associated Powers signed the Treaty of Peace with Italy, establishing the Free Territory of Trieste and its international Free Port at service of all States, in compliance with United Nations Security Council Resolution S/RES/16(1947).

The Free Territory of Trieste is therefore recognized by the Signatories of the Treaty of Peace, including Italy, by the Countries that signed successive, consequent agreements, by the United Nations Organization, and by its Member States.

Since the coming into force of the Treaty, on 15 September 1947, the Free Territory of Trieste is established as sovereign State under the United Nations Security Council's direct protection, and it is governed in compliance with the Provisional Regime established at Annex VII of the same Treaty, as well as with all compatible norms of the Permanent Statute provided at Annex VI, which do also include the establishment of the international Free Port regulated with Annex VIII.

The borders of the present-day Free Territory of Trieste are those established by the Treaty of Peace as partially changed, under art. 30.3 of the Vienna Convention on the Law of Treaties, by UN Resolutions S/RES/753(1992), A/RES/46/238, S/RES/754(1992), A/RES/46/236, S/RES 777(1992), A/RES/47/1, which recognized the independent Republics of Slovenia and of Croatia in their present borders after plebiscites.

The provisional regime of the present-day Free Territory of Trieste is a special UN Trusteeship mandate, since 15 September 1947 it is entrusted to the Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland, and in 1954 they have sub-delegated the exercise of temporary civil administration to the Italian Government under a Memorandum of Understanding, and the exercise of military defense to NATO, in the same strategic sector as Italy.

Accepting the sub-mandate, the Italian Government committed to exercise temporary civil administration, but also the duty to represent the present-day Free Territory of Trieste in foreign relations who simulate through Italy's own diplomatic bodies, however, it did later refrain from doing so.

Omitting to exercise this obligation, the administering Italian Government favored misunderstandings that damage the relations between the Italian Republic, the administered present-day Free Territory, and all Countries entitled with general or special rights over its international Free Port.

This International Provisional Representative is an agency established on 16 September 2015, it acts upon delegation of the subjects entitled to do so by law to remediate the harmful consequences of the administering Italian Government's omission.

Exercising this role, this Representative has verified that the majority of those harmful consequences consist in serious legal, economic, and fiscal abuses committed by bodies of the Italian Government that simulate to exercise the sovereignty of the Italian State over the Free Territory of Trieste; by doing so they violate both the civil and the economic rights of citizens, residents, and enterprises of the Free Territory and the rights of all other States and enterprises over its international Free Port.

In 2016, this Representative proved with a specific expertise that those bodies in charge of the conduction of the Italian Government's temporary administration base their misconducts on anti-legal theses, crafted for this very purpose using forged quotes and incorrect interpretation of the international legal instruments that establish and provide the law of the Free Territory of Trieste and of its international Free Port.

Now this Representative proved with a new expertise that the misconducts of those administering bodies of the Italian Government do also constitutive breaches of the Italian legal system.

Indeed, the new expertise analyzes the Italian *Corpus Juris* that recognizes, ratifies, and enforces the international obligations of both the Italian Republic and the Italian Government respect to the present-day Free Territory of Trieste and the deriving obligations respect to other States and the United Nations since 1947.

For this reason, the analyzed *Corpus Juris* does also include the most recent measures with which the administering Italian Government recognizes and enforces those international obligations. In particular, see the inter-ministerial decree of 13 July 2017 regarding the administrative management of the international Free Port of Trieste.

For instance, the new expertise ultimately proves that officers of the Italian Government who act on the false claim that the administered Free Territory of Trieste is subject to Italian sovereignty and jurisdiction act on absolute unlawfulness, because it is impossible enforcing a legal system by the mean of its violation.

For the same reasons, it is appropriate considering that, when it comes to this subject, Italian officers are not following the directions of the administering Italian Government, rather, they follow the of centers of illegal power that gain profit from the abuses at the expenses of the Free Territory of Trieste and of the international Free Port of Trieste.

This is why this Representative has already lodged the new expertise in the civil lawsuit launched on May 22nd, 2017, versus the Italian Government, its Fiscal Agencies, and

the INPS to determinate the fiscal rights of the present-day Free Territory of Trieste and of the international Free Port of Trieste.

So far the legal action on taxation proved positive. After lodging their notices of appearance before Court, the lawyers of the Italian Government lodged no further documents to support their defense, which was completely disproved by the documents and expertise lodged by this Representative. More than 500 citizens and enterprises have already joined the lawsuit, new adhesions are open until May 14th.

In the coming days, this Representative is taking care to publish the new expertise in English and in Italian, to notify it to all Authorities in charge of the temporary civil administration entrusted to the Italian Government that are serving their duties in the Free Territory of Trieste, as well as requiring the Italian Government to impose its officers involved to comply with the law.

This Representative is therefore confident that Italian officers who hold the line on breaching the law in the present-day Free Territory of Trieste are persecuted by the competent Authorities.