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## The illegal appropriation of the Free Territory of Trieste

“Second Part of Three”

“Analysis of the Treaty of Osimo from 1975”

The legal analysis of the Treaty of Osimo is divided into 3 parts:

- Part One: "Behind the secret scenes of the Treaty of Osimo 1975"
- Part Two: "Analysis of the Treaty of Osimo from 1975" No. 24848
- Part Three: "Analysis of the Economic Agreement of Osimo, 1975" No. 24849



Signing of the Treaty of Osimo (Ancona) 10 November 1975

### Introduction:

The “Second Part” of the analysis of the Treaty of Osimo explains why this treaty cannot be regarded as a valid treaty under the international law.

As already analysed in the article “The Obscuring of the International Nation of Trieste”, the Memorandum of Understanding signed in London on 5 October 1954 (MoU) cannot be regarded as a valid international agreement since it actually sanctions the MILITARY OCCUPATION by Italy and Yugoslavia of the group of sovereign States called Free Territory and Free Port of Trieste (FTT respectively FPT). The FTT and FPT form together the only international sovereign nation in the world that is DEMILITARIZED by statute; this means that its security is guaranteed by the UN Security Council.

The Italian-Yugoslav MILITARY OCCUPATION might have been justified under the circumstances of the historic period of the Cold War, a war that had become a reality

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after the signing of the Warsaw Pact on 14 May 1955, as opposed to the North Atlantic Treaty Organization. This war, which consisted in a mere deployment of nuclear weapons, led to the so-called Iron Curtain that divided Europe into two blocks. But the Cold War ended conventionally with the fall of the Berlin Wall on 9 november 1989 and ultimately with the dissolution of the Warsaw Pact on 31 March 1991.

The TREATY OF OSIMO of 10 November 1975 is fundamentally based upon the Memorandum of Understanding of 1954 and is simply a silly attempt by Yugoslavia and Italy (whose only charge was to provide for the civil administration of the demilitarized International Nation of Trieste-FPT/FTT) to illegally take possession of the latter's territory.

In the light of the present situation (2011), the decision of 1954 to hand over the administration of the International Nation of Trieste to the bordering States was very detrimental from a humanitarian and socio-cultural point of view to the local population and to the citizens born in the FTT, and also from an economic and commercial point of view to all the nations in the world, as far as the Italian administration of the Free Port of Trieste is concerned.

After reading the First Part, i.e. the interview of 15 Novembre 2010 with the then secret mediator for Yugoslavia/Slovenia Boris Šnuderl, who says that the Treaty signed in Osimo in 1975 is a "FRAUD", we obviously wonder how it has been possible that the Treaty of Osimo was drawn up and registered at international level.

The CommitteeFPT's comments on this pseudo-treaty have only one aim, i.e. that the citizens of the FTT and all peoples belonging to the UN can realize the fraud committed against them through an agreement that helps the Italian, Yugoslavian and local (Triestine) organized crime to intentionally exploit for its own purposes of power and money what was created in 1947 with the purpose of benefiting the whole world, as explained in the article "The Birth of The International Nation of Trieste".

The document is made up of four sections:

1. RATIFICATION 1977 (for Italy)
2. TREATY OF OSIMO 1975
3. EXCHANGE LETTERS
4. FINAL ACT

**NOTE:** the comments are made by the Committee Free Port of Triest and are highlighted in blue

## Section I (only comments in english)

### RATIFICA 1977

**Legge 14 marzo 1977 n. 73**

**Ratifica ed esecuzione del trattato tra la Repubblica italiana e la Repubblica socialista federativa di Jugoslavia, con allegati, nonché dell'accordo tra le stesse Parti, con allegati, dell'atto finale e dello scambio di note, firmati ad Osimo (Ancona) il 10 novembre 1975.**

1. Il Presidente della Repubblica è autorizzato a ratificare:
  - a) il trattato fra la Repubblica italiana e la Repubblica socialista federativa di Jugoslavia firmato ad Osimo il 10 novembre 1975 ed i relativi dieci allegati;
  - b) l'accordo sulla promozione della cooperazione economica tra la Repubblica italiana e la Repubblica socialista federativa di Jugoslavia firmato ad Osimo il 10 novembre 1975 ed i relativi quattro allegati;

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c) l'atto finale firmato ad Osimo il 10 novembre 1975 relativo ai due strumenti internazionali sopraindicati;

d) uno scambio di lettere concernente la cittadinanza delle persone che si trasferiranno in Italia sulla base delle disposizioni dell'articolo 3 del trattato di cui alla lettera a) del presente articolo.

2. Piena ed intera esecuzione è data agli atti di cui all'articolo precedente a decorrere dalla loro entrata in vigore in conformità a quanto previsto dall'atto finale compreso fra quelli indicati nel precedente articolo 1.

...ecc. ecc.

Data a Roma, addì 14 marzo 1977  
LEONE

ANDREOTTI - FORLANI - COSSIGA - PANDOLFI - STAMMATI - MORLINO - LATTANZIO -  
GULLOTTI - DONAT-CATTIN - ANSELMINI

Visto, il Guardasigilli: BONIFACIO

TRADUZIONE NON UFFICIALE

Il testo facente fede è unicamente quello in lingua francese.

Comment: The original Italian text of the Ratification is available under the link "Ratifica Osimo Legge 14 marzo 1977 n. 73" <http://www.triestfreeport.org/wp-content/uploads/2010/02/Ratifica-Osimo-Legge-14-marzo-1977-n.-731.pdf> . The Italian Ratification contains references to only six exchange letters, i.e. from Annex V to Annex X, (see art. 1(d) above: "*the exchange of letters on the citizenship of the persons who will move to Italy according to the provisions of art. 3 of the Treaty*"), while the English version, which is registered with the UN see link "orig. Treaty OSIMO 75, part 1" <http://www.triestfreeport.org/wp-content/uploads/2010/09/orig.-Treaty-OSIMO-1975.pdf> , contains references to seven letters and to the relative answers, this means that in the Italian version the reference to Annex XI is missing.

## Section II **TREATY OF OSIMO 1975**

1987 United Nations — Treaty Series • Nations Unies — Recueil des Traités 73

No. 24848

ITALY  
and  
YUGOSLAVIA

**Treaty on the delimitation of the frontier for the part not indicated as such in the  
Peace Treaty of 10 February 1947  
(with annexes, exchanges of letters and final act).  
Signed at Osimo, Ancona, on 10 November 1975**

*Authentic text of the Treaty, annexes I and III, exchanges of letters and final act: French.*

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*Authentic text of annexes II and IV: Italian.  
Registered by Italy on 9 July 1987.*

**ITALIE  
et  
YUGOSLAVIE**

**Traité pour la délimitation de la frontière pour la partie non indiquée comme telle  
dans le Traité de paix du 10 février 1947  
(avec annexes, échanges de lettres et acte final).  
Signé à Osimo (Ancona) le 10 novembre 1975**

*Texte authentique du Traité, des annexes I et III, des échanges de lettres  
et de l'acte final: français.  
Texte authentique des annexes II et IV : italien  
Enregistré par l'Italie le 9 juillet 1987.*

Vol. 1466, I-24848

**[TRANSLATION - TRADUCTION]**

**TREATY BETWEEN THE ITALIAN REPUBLIC AND THE  
SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA**

The Contracting Parties,

Convinced that peaceful co-operation and good-neighbourly relations between the two countries and their peoples serve the basic interests of the two States,

Considering that the agreements which they have heretofore concluded have created conditions favourable to the further development and strengthening of mutual relations,

Convinced that equality among States, renunciation of the use of force and consequent respect for sovereignty, territorial integrity and the inviolability of borders, peaceful settlement of disputes, non-interference in the internal affairs of other States and respect for freedoms and basic rights are, together with the fulfilment in good faith of all international obligations, the foundation for safeguarding peace and international security and developing friendly relations and co-operation among States,

*It reads: "...and consequent respect for sovereignty, territorial integrity and the inviolability of borders,..." and also "...non-interference in the internal affairs of other States and respect for freedoms and basic rights are, together with the fulfilment in good faith of all international obligations,..."*, but then it's not clear according to which principle this bilateral Treaty cancels art. 21 of the Peace Treaty with Italy that was drawn up and **signed by 21 nations including Yugoslavia and Italy** and in its art. 21 states as follows:

*"1. There is hereby constituted the Free Territory of Trieste, consisting of the area lying between the Adriatic Sea and the boundaries defined in Articles 4 and 22 of the present Treaty. **The Free Territory of Trieste is recognized by the Allied and Associated Powers and by Italy**, which agree that its integrity and independence shall be assured by the Security Council of the United Nations.*

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**2. Italian sovereignty over the area constituting the Free Territory of Trieste, as above defined, shall be terminated upon the coming into force of the present Treaty.”**

**Specification on paragraph 2:** The Annexes VI, VII and VIII, i.e. the Permanent Statute for the FTT, the Provisional Régime for the FTT and the Instrument for the FPT, were approved by the Security Council of the Organization of the United Nations in New York on January 10th, 1947.

The Treaty of Peace with Italy was signed in Paris on February 10th, 1947 and came into force on September, 15th 1947.

Therefore, the FTT and the FPT had been defined as NATIONS in their own right one month before the Treaty of Peace was signed and seven months before it became effective.

**“3. On the termination of Italian sovereignty, the Free Territory of Trieste shall be governed in accordance with an instrument for a provisional régime drafted by the Council of Foreign Ministers and approved by the Security Council. This Instrument shall remain in force until such date as the Security Council shall fix for the coming into force of the Permanent Statute which shall have been approved by it. The Free Territory shall thenceforth be governed by the provisions of such Permanent Statute. The texts of the Permanent Statute and of the Instrument for the Provisional Regime are contained in Annexes VI and VII.**

**4. The Free Territory of Trieste shall not be considered as ceded territory within the meaning of Article 19 and Annex XIV of the present Treaty.**

**5. Italy and Yugoslavia undertake to give to the Free Territory of Trieste the guarantees set out in Annex IX.”**

Confirming their loyalty to the principle of the broadest protection of citizens belonging to ethnic groups (minorities) which derives from their Constitutions and their domestic law and which each Party applies independently and drawing also upon the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Conventions on Human Rights,

Comment: It reads: **“Confirming their loyalty to the principle of the broadest protection of citizens belonging to ethnic groups (minorities) which derives from their Constitutions and their domestic law..”**, which means that they are talking about **their own Constitutions and internal regulations (of Italy and Yugoslavia), not about the Permanent Statute of the FTT according to Annex VI to the 1047 Peace Treaty**, that provides for **not only two but a lot of ethnic groups** as living in the territory concerned. i.e. also the Greek, Hungarian, German, Austrian, Jewish, Slovak, Czech, Russian, English, French ethnic groups and many others more, not to mention the most diverse religious faiths – as proved by the different places of worship which coexist within the FTT.

Then it reads: **“..drawing also upon the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Conventions on Human Rights,,”** which means that the Italian and Yugoslav governments were inspired by nothing less than the

**“CHARTER OF THE UNITED NATIONS**

**Signed by 51 original members and adopted by acclamation in San Francisco on 26 June 1945**

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## **WE THE PEOPLES OF THE UNITED NATIONS**

### **DETERMINED**

*to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and*

*to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and*

*to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and*

*to promote social progress and better standards of life in larger freedom,*

### **AND FOR THESE ENDS**

*to practice tolerance and live together in peace with one another as good neighbors, and*

*to unite our strength to maintain international peace and security, and*

*to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and*

*to employ international machinery for the promotion of the economic and social advancement of all peoples,*

### **HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.**

*Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.”*

In the light of what's written in the first paragraphs of the Charter of the United Nations, one wonders **what did these two States (Yugoslavia and Italy) want in the International Nation of Trieste (FTT/FPT)**, i.e. a sovereign State with its own Statute which was drawn up and recognized by the United Nations to further following ends:

- to save succeeding generations from the scourge of war*
- to reaffirm faith in fundamental human rights*
- the equal rights of men and women and of nations large and small*
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained*
- to promote social progress and better standards of life in larger freedom*
- to practice tolerance and live together in peace with one another as good neighbors*
- to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest*
- to employ international machinery for the promotion of the economic and social advancement of all peoples*

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Desiring by this Treaty to demonstrate their shared intention to expand, in the interests of the two countries, their existing ties of good-neighbourliness and peaceful co-operation,

Comment: What can the International Nation of Trieste (FTT/FPT) care about “*the interests of the two countries*” in the “*existing ties of good-neighbourliness and peaceful co-operation*” between Italy and Yugoslavia? It doesn't care at all, since the FTT is a nation which must set an example of neighbourliness for all nations in the world, so it is difficult to understand why these two nations (Italy and Yugoslavia) dared militarily occupy the FTT in order to solve their neighbourhood problems.

Convinced also that this will contribute to the strengthening of peace and security in Europe,

Italy and Yugoslavia must be really very important to be “*Convinced..*” that they are contributing “*..to the strengthening of peace and security in Europe,*” while preventing the International Nation of Trieste from playing its role as mediator for the benefit of the economic development, the socio-cultural progress, the human rights and the international security.

It's worth reminding that on 1 August 1975, that is **2 months and 10 days before the Osimo Treaty was signed, Italy and Yugoslavia** solemnly signed in Helsinki (Italy was represented by Aldo Moro) the **FINAL ACT** of the **CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE** which in art. 1(a) states the following:

***I. Sovereign equality, respect for the rights inherent in sovereignty***

***II. Refraining from the threat or use of force***

***III. Inviolability of frontiers***

***IV. Territorial integrity of States***

***V. Peaceful settlement of disputes***

***VI. Non-intervention in internal affairs***

***VII. Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief***

***VIII. Equal rights and self-determination of peoples***

***IX. Co-operation among States***

***X. Fulfilment in good faith of obligations under international law***

In the light of what Italy and Yugoslavia agreed upon in the Osimo Treaty, one can only infer that **the representatives of their governments did take part in the Conference on Security and Co-operation in Europe, but probably didn't pay very much attention, since only two months later they deliberately violated the points “I, II, III, IV, V e VI” of this Agreement while they bilaterally agreed on the illegal appropriation of the FTT, and the points “VII, VIII, IX e X”, thereby patently discriminating the citizens of the FTT in their human rights.**

Have agreed as follows:

#### **Article 1**

The part of the frontier between the Italian Republic and the Socialist Federal Republic of Yugoslavia not indicated as such in the Treaty of Peace with Italy of 10 February 1947' is described in the text in annex I and plotted on the map in annex II to this Treaty.

In the event of a discrepancy between the description of the frontier and the map, the text shall be deemed to be authentic.

Comment: What does “*The part of the frontier between the Italian Republic and the Socialist Federal Republic of Yugoslavia not indicated as such in the Treaty of Peace with Italy of 10*”

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*February 1947..” mean?*

To better understand the point: if Italy and Yugoslavia would want to modify the boundaries between them (e.g. in Gorizia), they are allowed to do so on the basis of a bilateral agreement such as the one signed in 1975; but, if they'd want to modify the boundaries of another nation or those of the International Nation of Trieste (FTT/FPT), which is neither Italy nor Yugoslavia, in order to take possession of this nation's territory, then they'd have to submit such a proposal to the UN Security Council.

Why?

Because the Free Territory of Trieste and the Free Port of Trieste, which form the International Nation of Trieste, are recognized by the United Nations Organization as they were created by Resolution No. 16 of the UN Security Council on 10 January 1947, and also because the Security Council itself vouches for the territorial integrity, neutrality and demilitarization of this confederation of two States (see Peace Treaty with Italy, art. 21, and Permanent Statute of the FTT, Annex VI, articles 1 to 3).

This is due to the historical situation during the Austro-Hungarian Empire, when the Kronland Triest was recognized as a city-state within the said Empire in the same way as all other nations belonging to it.

**The annulment of the Rapallo Treaty (1920) through art. 1 of the 1947 Peace Treaty with Italy put an end to Italy's and Yugoslavia's territorial aims** deriving from Trieste's annexation first to the Italian Kingdom and later to the Fascist Italy (as well as from the annexation to Nazi Germany in 1943-45), in order to give this multi-ethnic nation back to its local population.

**To sum up: NO SINGLE STATE OR GROUP OF STATES CAN MODIFY THE BOUNDARIES OF THE INTERNATIONAL NATION OF TRIESTE (FTT/FPT), EITHER NOW OR NEVER!!!**

### Article 2

The frontier between the two States in the Gulf of Trieste is described in the text in annex III and plotted on the map in annex IV to this Treaty.

In the event of a discrepancy between the description of the frontier and the map, the text shall be deemed to be authentic.

The above considerations apply also to the boundaries of the territorial waters of the International Nation of Trieste.

**The land and sea boundaries of the International Nation of Trieste – still valid nowadays – are described in articles 4, 11 and 12 of the 1947 Peace Treaty with Italy and mapped in Annex I.**

### Article 3

The nationality of persons who on 10 June 1940 were Italian nationals and had their permanent residence in the territory referred to in article 21 of the Treaty of Peace with Italy of 10 February 1947, and also the nationality of their descendents born after 10 June 1940, shall be determined by the legislation of the Party in whose territory such persons are residing at the time of the entry into force of this Treaty.

*Comment: It reads: “The nationality of persons who on 10 June 1940 were Italian nationals and had their permanent residence in the territory referred to in article 21 of the Treaty of Peace with Italy of 10 February 1947,..”, but which “citizenship” did these not clearly defined “persons” have who*

*“had their permanent residence in the territory referred to in article 21 of the Treaty of Peace with Italy of 10 February 1947” and “on 10 June 1940 were Italian nationals”?*

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They were *persons* who had no citizenship from 10 February 1947 to 10 November 1975, i.e. for 28 years and 9 months!!! This is clearly absurd, so we take the liberty to define them according to the law, see art. 6 of Annex VI to the 1947 Peace Treaty with Italy:

***“1. Italian citizens who were domiciled on 10 June 1940 in the area comprised within the boundaries of the Free Territory, and their children born after that date, shall become original citizens of the Free Territory with full civil and political rights. Upon becoming citizens of the Free Territory they shall lose their Italian citizenship.”***

Futhermore, art. 15 of the **The Universal Declaration of Human Rights** states that:

- 1. Everyone has the right to a nationality.*
- 2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.*

Persons forming part of the Italian ethnic group (of the Italian minority) and persons forming part of the Yugoslav ethnic group (of the Yugoslav minority) to whom the preceding paragraph applies shall have the option of moving to Italian or Yugoslav territory respectively, under the terms stipulated in the exchange of letters in annex VI to this Treaty.

Comment: It reads: *“Persons forming part of the Italian ethnic group...”* ; this means that the States that signed this Treaty decide on an *“ethnic”* base for the population of the ***“original citizens of the Free Territory with full civil and political rights”*** to *“have the option of moving to Italian or Yugoslav territory respectively, under the terms stipulated in the exchange of letters in annex VI to this Treaty.”*

And which are the *“..the terms stipulated in the exchange of letters..”* ?

The *exchange of letters* regarding this article (see below, letters Ib and IIb) are rather disquieting because they read as follows:

*“Within three months from the date on which they have been notified of their release from Yugoslav nationality, such persons must leave the territory of the Socialist Federal Republic of Yugoslavia and shall be deemed to have lost Yugoslav nationality as of the date on which they move.”*

and here is the Italian answer:

*“Within three months from the date on which they have received the communication notifying them that they have been granted Yugoslav nationality, such persons must leave the territory of the Italian Republic and shall be deemed to have lost Italian nationality as of the date on which they move.”*

Here is another patent violation of the Universal Declaration of Human Rights, which reads as follows:

**Article 9**

*No one shall be subjected to arbitrary arrest, detention or exile.*

**Article 13**

*(1) Everyone has the right to freedom of movement and residence within the borders of each state.*

*(2) Everyone has the right to leave any country, including his own, and to return to his country.*

Where households are concerned, the wishes of each spouse shall be taken into account and, if they coincide, the fact that one spouse may be of a different ethnic origin shall not be taken into account.

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Comment: That states the obvious, see the **The Universal Declaration of Human Rights Article 16**

*(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.*

*(2) Marriage shall be entered into only with the free and full consent of the intending spouses.*

*(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.*

Minor children shall follow one or the other of their parents according to the private law regulating separation in the territory where the parents have their permanent residence at the time of the entry into force of this Treaty.

**Comment: Art. 3 (see above) can not be considered simply as an example of “racial discrimination” but also of “ethnic cleaning” against the native and multiethnic population of the FTT.**

#### **Article 4**

The two Governments shall, as soon as possible, conclude an agreement on a global lump-sum compensation which is equitable and acceptable to the two Parties, in respect of the property, rights and interests of Italian natural and juridical persons that were situated in the part of the territory referred to in article 21 of the Treaty of Peace with Italy of 10 February 1947 which falls within the boundaries of the Socialist Federal Republic of Yugoslavia, and that were nationalized, expropriated or subjected to other restrictions by the Yugoslav military, civilian or local authorities after the date on which the Yugoslav Armed Forces entered that territory.

To that end, the two Governments shall enter into negotiations within two months from the date of the entry into force of this Treaty.

In the course of these negotiations, the two Governments shall give favourable consideration to the possibility of allowing, in certain instances, rightful owners who make an application to that effect within a given period of time to dispose freely of the property referred to above in cases where it has already been given over to the use or administration of close family members of the owner or in similar cases.

Comment: It's evident that the Italian and Yugoslav governments decide arbitrarily in matters of expropriations and compensations of the “property” of the original FTT citizens “*which falls within the boundaries of the Socialist Federal Republic of Yugoslavia, and that were nationalized, expropriated or subjected to other restrictions by the Yugoslav military, civilian or local authorities after the date on which the Yugoslav Armed Forces entered that territory.*”

**This article foresees openly an illegal appropriation of houses and grounds belonging to the native population of the zone B under control of the Yugoslav military, civilian or local authorities.**

Let's read the provisions of the Universal Declaration of Human Rights as regards this article:

#### **Article 2**

***Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or***

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*territory to which a person belongs, whether it be independent, **trust, non-self-governing or under any other limitation of sovereignty.***

*Article 12*

***No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.***

*Article 17*

*(1) Everyone has the right to own property alone as well as in association with others.  
(2) **No one shall be arbitrarily deprived of his property.***

**Articolo 5**

In order to settle the question of social security benefits and retirement pensions for the persons referred to in article 3 of this Treaty, the two Parties shall as soon as possible conclude an agreement governing matters which have not already been settled pursuant to the General Protocol of 14 November 1957, by the Agreement concluded between them on that same date.

To that end, the two Governments shall enter into negotiations within two months from the date of the entry into force of this Treaty.

Pending conclusion of the Agreement provided for in the first paragraph of this article, the interests of persons who are currently receiving social security benefits or retirement pensions and who are covered by article 3 of this Treaty shall be safeguarded by the measures set out in annex IX to this Treaty.

*Comment: "The question of social security benefits and retirement pensions" for the original FTT citizens was regulated by the Peace Treaty with Italy, in Annex X, already in 1947, and the MoU of 1954 didn't modify such provisions, so that also in 1975, i.e. in the Treaty in hand, they are legally valid. For instance, ANNEX X, that is the ECONOMIC AND FINANCIAL PROVISIONS RELATING TO THE FREE TERRITORY OF TRIESTE, quote in article:*

***1. The Free Territory of Trieste shall receive, without payment, Italian State and para-statal property within the Free Territory.***

*The following are considered as State or para-statal property for the purposes of this Annex: movable and immovable property of the Italian State, of local authorities and of public institutions and publicly owned companies and associations, as well as movable and immovable property formerly belonging to the Fascist Party or its auxiliary organizations.*

***5. The Free Territory shall be exempt from the payment of the Italian public debt, but shall assume the obligations of the Italian State towards holders who continue to reside in the Free Territory, or who, being juridical persons, retain their siège social or principal place of business there, in so far as these obligations correspond to that portion of this debt which has been issued prior to 10 June 1940 and is attributable to public works and civil administrative services of benefit to the said Territory but not attributable directly or indirectly to military purposes.***

*Full proof of the source of such holdings may be required from the holders.*

*Italy and the Free Territory shall conclude arrangements to determine the portion of the Italian public debt referred to in this paragraph and the methods for giving effect to these provisions.*

***7. Special arrangements shall be concluded between Italy and the Free Territory to govern the conditions under which the obligations of Italian public or private social insurance organizations towards the inhabitants of the Free Territory, and a proportionate***

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*part of the reserves accumulated by the said organizations, shall be transferred to similar organizations in the Free Territory.*

***Similar arrangements shall also be concluded between the Free Territory and Italy, and between the Free Territory and Yugoslavia, to govern the obligations of public and private social insurance organizations whose siège social is in the Free Territory, with regard to policy holders or subscribers residing respectively in Italy or in territory ceded to Yugoslavia under the present Treaty.***

***Similar arrangements shall also be concluded between the Free Territory and Yugoslavia to govern the obligations of public and private social insurance organizations whose siège social is in territory ceded to Yugoslavia under the present Treaty, with regard to policy holders or subscribers residing in the Free Territory.***

***8. Italy shall continue to be liable for the payment of civil or military pensions earned, as of the coming into force of the present Treaty, for service under the Italian State, municipal or other local government authorities, by persons who under the Treaty acquire the nationality of the Free Territory, including pension rights not yet matured. Arrangements shall be concluded between Italy and the Free Territory providing for the method by which this liability shall be discharged.***

***19. Any dispute which may arise in giving effect to this Annex shall be dealt with in the same manner as provided in Article 83 of the present Treaty.***

It's evident that the 1975 Treaty aims at regulating the economic aspect which had already been regulated 28 years before. But why? The reason can only be that, in such a way, both Italy and Yugoslavia were no longer responsible for the legitimate economic rights of the original FTT citizens. But it reads also that disputes that may arise **will be regulated according to art. 83 of the 1947 Peace Treaty with Italy**. Here is the text of this article:

#### SETTLEMENT OF DISPUTES

##### **Article 83**

***1. Any disputes which may arise in giving effect to Articles 75 and 78 and Annexes XIV, XV, XVI and XVII, part B, of the present Treaty shall be referred to a Conciliation Commission consisting of one representative of the Government of the United Nation concerned and one representative of the Government of Italy, having equal status. If within three months after the dispute has been referred to the Conciliation Commission no agreement has been reached, either Government may ask for the addition to the Commission of a third member selected by mutual agreement of the two Governments from nationals of a third country. Should the two Governments fail to agree within two months on the selection of a third member of the Commission, the Governments shall apply to the Ambassadors in Rome of the Soviet Union, of the United Kingdom, of the United States of America, and of France, who will appoint the third member of the Commission. If the Ambassadors are unable to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.***

***2. When any Conciliation Commission is established under paragraph 1 above, it shall have jurisdiction over all disputes which may thereafter arise between the United Nation concerned and Italy in the application or interpretation of Articles 75 and 78 and Annexes XIV, XV, XVI, and XVII, part B, of the present Treaty, and shall perform the functions attributed to it by those provisions.***

***3. Each Conciliation Commission shall determine its own procedure, adopting rules conforming to justice and equity.***

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4. *Each Government shall pay the salary of the member of the Conciliation Commission whom it appoints and of any agent whom it may designate to represent it before the Commission. The salary of the third member shall be fixed by special agreement between the Governments concerned and this salary, together with the common expenses of each Commission, shall be paid in equal shares by the two Governments.*

5. *The parties undertake that their authorities shall furnish directly to the Conciliation Commission all assistance which may be within their power.*

6. *The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.*

So **“..Any disputes which may arise ... ..shall be referred to a Conciliation Commission consisting of one representative of the Government of the United Nation concerned and one representative of the Government of Italy, having equal status.”** and not to a bilateral Treaty which takes possession of other people’s rights and benefits. **The FTT is one of the United Nations**; therefore, to settle *“the question of social security benefits and retirement pensions”* it doesn’t suffice that Italy and Yugoslavia draw up an agreement between themselves, but it’s necessary to establish a **“Conciliation Commission”**, and to this end it’s in turn necessary to integrate the most important actor of the dispute, that is **the Government of the Free Territory of Trieste!!!**

#### **Article 6**

The two Parties confirm their intention to develop their economic co-operation further with a view in particular to improving the living conditions of the frontier populations of the two countries.

To that end, they have simultaneously concluded an agreement on the development of economic co-operation.

Comment: It’s not clear whether the question is *“to improving the living conditions of the frontier populations of the two countries”*, that is Yugoslavia and Italy, or to improve the living conditions of the populations living along the border with the FTT ?

The *“..agreement on the development of economic co-operation”* is commented in Part III of the series *“The illegal appropriation of the FTT”*.

#### **Articolo 7**

On the date of the entry into force of this Treaty, the Memorandum of Understanding signed at London on 5 October 1954' and its annexes shall cease to have effect in relations between the Italian Republic and the Socialist Federal Republic of Yugoslavia.

Each Party shall so notify the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America and the United Nations Security Council within 30 days from the entry into force of this Treaty.

Comment: As already analysed in the article *“The Obscuring of the International Nation of Trieste”* we now know that the *“Memorandum of Understanding signed in London on October 5, 1954”* is a letter of intent with limited legal validity, since it establishes a provisional situation in order to justify the Cold War, which began in that period, and also because it doesn’t consider that the integrity and independence of the International Nation of Trieste (FTT and FPT) is guaranteed only by the UN Security Council. The following passage explains that the Treaty refers only to Italy and Yugoslavia: *“On the date of the entry into force of this Treaty, the Memorandum of Understanding signed at London on 5 October 1954' and its annexes*

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*shall cease to have effect in relations between the Italian Republic and the Socialist Federal Republic of Yugoslavia.*” It’s therefore clear that the 1954 MoU is still valid for the United States of America and the United Kingdom of Great Britain and Northern Ireland, which are part to it on an equal footing. And in fact it reads: **“Each Party shall so notify the Government etc.... and the United Nations Security Council within 30 days from the entry into force of this Treaty.”**

Reading the beginning of this Treaty, one can realize that it was signed in 1975 but registered with the UN in 1987, that is **not within “30 days”** after signing **but 12 years after the signing of the Treaty**. Furthermore, neither the **“Government of the United Kingdom of Great Britain and Northern Ireland”**, neither the **“Government of the United States of America”** nor **“the United Nations Security Council”** have ever commented on the validity of this Treaty!!!

In addition, it’s worth noting that it’s true that in June 1977, upon request of the Italian and Yugoslav permanent representatives to the UN, the US Security Council decided to delete from the agenda **the questions** relating to **“Appointment of a Governor for the Free Territory of Trieste”** and **“The question of the Free Territory of Trieste”**; but it’s also evident that, **upon request of any of the UN member States or of the “International Commission for the FPT” through its President, who represents at the moment 31 nations**, these very same questions **can anytime be put again on the agenda of the UN Security Council**.

#### **Article 8**

Each Party declares that, when the Special Statute annexed to the Memorandum of Understanding signed at London on 5 October 1954 ceases to have effect, it shall maintain in force the internal measures already taken in application of the aforesaid Statute and shall ensure under its domestic law that the level of protection stipulated for members of the respective ethnic groups (of the respective minorities) in the expired Special Statute is maintained.

Comment: Until when the UN Security Council comments on this matter (see Peace Treaty, Annex VII, art. 1, and Annex VI, art. 38) the two signing nations to this Treaty are legally considered military occupants of the International Nation of Trieste, made up by the FTT and FPT. Therefore it is not necessary to refer to the above mentioned 1954 MoU.

#### **Articolo 9**

This Treaty shall be ratified as soon as possible and shall enter into force on the date of the exchange of the instruments of ratification, simultaneously with the Agreement on the development of economic co-operation between the two countries, signed on today's date.

The exchange of the instruments of ratification shall take place at Belgrade.

DONE at Osimo, Ancona, on 10 November 1975, in two original copies in the French language.

For the Government of the Italian Republic: M. RUMOR

For the Government: of the Socialist Federal Republic of Yugoslavia: M. MINIC

**Comment: This Treaty is rejected in all its parts since it doesn't take into consideration the most elementary rules of the International Law.**

#### **ANNEX I**

The demarcation of the frontier line ends at mark 65/36, situated about 800 metres north of the village of Medeazza on the small slope of hill 127. From mark 65/36, the frontier

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[Http://www.portoliberotrieste.org](http://www.portoliberotrieste.org)

[Http://www.prostalukatrst.org](http://www.prostalukatrst.org)

[Http://www.triestfreeport.org](http://www.triestfreeport.org)

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line runs towards a small post marked B/Trieste 25610, set 24.1 metres to the east on a pile of stones. With an azimuth of 104 , it then proceeds towards an iron pipe which constitutes primary mark No. 1, situated 11.2 metres away. From here to Mt. Goli, the frontier line is marked by iron pipes projecting about 1.60 metres from the ground and painted black and white or red and white. From primary mark No. 1, the line proceeds towards the north slopes of Mt. Ermada. After crossing the Medeazza-Brestovizza rural road and leaving point 225 in Italian territory and point 246 in Yugoslav territory, the line reaches the Medeazza-Ceroglie road and passes north of Mt. Ermada. At this point, the line, shown by primary mark No. 2, is situated 7.40 metres north of the axis of the Medeazza-Ceroglie road and about 1,450 metres east of the village of Medeazza, which remains to the west. The course of the frontier line from primary mark No. 1 to primary mark No. 2 is given in table 1.

etc. etc.

Proceeding from primary mark No. II with a mean azimuth of approximately 259, the line leaves the summit of S. Michele and heads towards the mouth of the S. Bartolomeo stream. It leaves the water tank on S. Michele in Italian territory and then, descending the west slope of the hill, crosses the Chiampore-Crevatini road. The line continues with slight detours, leaving the Fontanot residence with a narrow strip of land in Italian territory and the Seppili farm buildings with a small section of the farm road in Yugoslav territory. The cultivated land in the Seppili property remains in Italian territory. The line now follows the plain almost without interruption, crossing the Ancarano-Lazzaretto carriage road and completing its course at primary mark No. I, situated on the right bank at the mouth of the S. Bartolomeo stream. The course of the frontier line from primary mark No. II to primary mark No. I is given in table 26.

The points and topographical data given in the description appear on the 1:25,000 and 1:50,000 maps of the Italian Military Geographic Institute (1962-1966 and 1967 editions), and the 1:50,000 map of the Military Geographic Institute of the Yugoslav People's Army (1971 edition).

Omitted Annex I (26 tables containing all metric informations and the geographical coordinates of the individual stones along the land border in the area of Trieste) and the Annex II (4 topographical maps).

**Comment:** The still valid land boundary of the FTT, between Italy and Yugoslavia (today Slovenia and Croatia), is described in articles 4 and 22 of the 1947 Peace Treaty with Italy and its map is enclosed in its Annex I.

## ANNEX II

Annex II comprises the following topographical map segments: 1

*Map of Italy on a scale of 1:50,000 of the Military Geographic Institute*

- Sheet No. 088 Gorizia (Edition 1. 1967)
- Sheet No. 109 Grado (Edition 1. 1968)
- Sheet No. 110 Trieste (Edition 1. 1967)
- Sheet No. 131 Caresana (Edition 1. 1967)

## ANNEX III

The maritime frontier line starts in the bay of S. Bartolomeo at primary mark No. 1, situated on the right bank at the mouth of the S. Bartolomeo stream at its mouth, the grid values in the two systems being:

x = 5049835,77	y = 2420416,72	Italian system
x = 5050841,73	y = 5400753,47	Yugoslav system

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and is determined by the great circle arcs between the following points:

punti	Italian co-ordinates (Map no. 39)		Yugoslav co-ordinates (Map no. 100 - 15)	
	Latitudine N	Longitudine E (Greenwich)	Latitudine N	Longitudine E (Greenwich)
1	45° 35', 65	13° 43', 15	45° 35', 70	13° 43', 40
2	45° 35', 90	13° 42', 75	45° 35', 95	13° 43', 00
3	45° 37', 80	13° 37', 80	45° 37', 91	13° 38', 00
4	45° 32', 70	13° 18', 75	45° 32', 80	13° 19', 00
5	45° 27', 20	13° 12', 70	45° 27', 20	13° 12', 90

The aforesaid co-ordinates are represented graphically on Italian map No. 39 of the Italian Navy Hydrographie Institute, scale 1:100,000, Third Edition, March 1962, reissued in July 1974 and updated in the "Notice to Mariners", No. 42, 1974, and on Yugoslav nautical map No. 100-15 of the Yugoslav Navy Hydrographie Institute, scale 1:100,000, New Edition, June 1971, reissued in July 1974 and updated in the "Notice to Mariners", No. 22, 1974.

Comment: The still valid sea boundary of the FTT, between Italy and Yugoslav (today Slovenia and Croatia), is described in article 4 and 11 of the 1947 Peace Treaty with Italy and its map is enclosed in its Annex I.

#### ANNEX IV

Annex IV consists of the following topographical map segment:

*Map of the Navy Hydrographie Institute — Genoa, April 1943 — Third Edition, March 1962*

Northern Adriatic from Punta Tagliamento to Pola (updated in Fascicle of 4-5 November 1974)

Comment: It's worth reminding that, **because of the illegal changes of the boundaries** as stated in this Treaty, **the FPT has no longer access to international waters and therefore this de jure and de facto international port has become a useless territory, to the detriment of the entire world trade.**

### Section III EXCHANGE OF LETTERS

Comment: Annex V, VI, VII, VIII, IX, X and "XI" are the exchanges of letters between Rumor and Minic.

Comment: The "Annex XI" is not reported in the FINAL ACT (see the bottom of this expertise) and is not reported in the ratification act of Italy March 14<sup>th</sup> 1977 but was registered under the initials **Ig and Ilg** (see last letter of exchange) under the UN registered version from July 9<sup>th</sup> 1987.

**Annex V (in the English version registered by Italy, 1987, "Ia")**

#### THE MINISTER FOR FOREIGN AFFAIRS OF THE ITALIAN REPUBLIC

Osimo, Ancona, 10 November 1975

Sir,

With reference to article 2 of the Treaty signed on today's date, by which the frontier between the two States in the Gulf of Trieste has been permanently fixed, I have the honour

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to confirm the following:

In delimiting the territorial waters in the Gulf of Trieste, each Party took into account the principles deriving from the Geneva Convention on the Territorial Sea and the Contiguous Zone of 29 April 1958.

On that occasion, the Italian Party made known its intention of drawing the straight baselines in the Adriatic Sea and publishing them in the manner provided for in the above said Convention.

I would appreciate your taking note of the foregoing.

Accept, Sir, etc.

M. RUMOR

His Excellency Mr. Milos Minic  
Vice-Président of the Federal Executive Council  
and Federal Secretary for Foreign Affairs  
of the Socialist Federal Republic of Yugoslavia

(in the English version registered by Italy, 1987, "II a")

**THE VICE-PRESIDENT OF THE FEDERAL EXECUTIVE COUNCIL AND FEDERAL SECRETARY FOR FOREIGN AFFAIRS OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA**

Osimo, Ancona, 10 November 1975

Sir,

I have the honour to acknowledge receipt of your letter which reads as follows:

[See letter I a]

I have the honour to confirm that I have taken note of the foregoing.

Accept, Sir, etc.

M. MINIC

His Excellency Mr. Mariano Rumor  
Minister for Foreign Affairs of the Italian Republic

Comment: Since this letter of exchange refers to the **International Convention on Territorial Sea and the Contiguous Zone**, signed in Geneva on 29 April 1958, we take the liberty to demonstrate that this Treaty doesn't stick even to this Convention.

See:

[http://untreaty.un.org/ilc/texts/instruments/english/conventions/8\\_1\\_1958\\_territorial\\_sea.pdf](http://untreaty.un.org/ilc/texts/instruments/english/conventions/8_1_1958_territorial_sea.pdf)

## **GENERAL**

### **Article 1**

*1. The sovereignty of a State extends, beyond its land territory and its internal waters, to a belt of sea adjacent to its coast, described as the territorial sea.*

*2. This sovereignty is exercised subject to the provisions of these articles and to other rules of international law.*

### **Article 2**

*The sovereignty of a coastal State extends to the air space over the territorial sea as well as to its bed and subsoil.*

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If the sovereignty over the territorial waters is **“exercised subject to the provisions of these articles..”** then one must consider that the FPT was established by the UNO according to the **“rules of international law”** as an international port in an extraterritorial territory, that is an extra-customs territory, also in relation to the FTT. Therefore, the territorial sea of the FTT, which is an international State, too, because its Governor is appointed directly by the UN Security Council, is used by the ships registered with the International Maritime Organization (IMO) for international navigation, for direct access to the international waters or vice versa for access to the FPT, without legal or practical interference by any other State with own national legislation, like for instance Italy and Yugoslavia.

### **LIMITS OF THE TERRITORIAL SEA**

#### **Article 12**

*1. Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured. **The provisions of this paragraph 5 shall not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance with this provision.***

*2. The line of delimitation between the territorial seas of two States lying opposite to each other or adjacent to each other shall be marked on large-scale charts officially recognized by the coastal States.*

The establishment of the FPT as an international port is directly linked to the concession of the free port status to Trieste by Charles VI. of Habsburg in 1719; so it's difficult to maintain that in the case of the port of Trieste there are no **“historic title”** also as to the territorial waters.

### **FINAL ARTICLES**

#### **Article 25**

*The provisions of this Convention **shall not affect conventions or other international agreements already in force, as between States Parties to them.***

It's true that Mr Rumor and Mr Minic took the liberty to **“..affect..”** the **“..other international agreements already in force, as between States Parties to them”** of the Peace Treaty with Italy ratified on 15 September 1947 by 21 nations, including Italy and Yugoslavia!

#### **Annex VI (in the English version registered by Italy, 1987, “1b”)**

### **THE VICE-PRESIDENT OF THE FEDERAL EXECUTIVE COUNCIL AND FEDERAL SECRETARY FOR FOREIGN AFFAIRS OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA**

Osimo, Ancona, 10 Novembre 1975

Sir,

With reference to article 3 of the Treaty signed on today's date, I have the honour to confirm the following:

My Government undertakes to release from Yugoslav nationality members of the Italian minority (of the Italian ethnic group) referred to in article 3 of the Treaty who, at the time of the entry into force of the Treaty, have their permanent residence in Yugoslav territory and who,

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within one year from the date of the entry into force of the said Treaty, express, through the Yugoslav authorities, who shall notify the Italian authorities accordingly, their intention to move to Italy and with respect to whom the Italian Government informs the Yugoslav Government that it considers them to be members of the Italian minority (of the Italian ethnic group) and recognizes that they have Italian nationality.

Within three months from the date on which they have been notified of their release from Yugoslav nationality, such persons must leave the territory of the Socialist Federal Republic of Yugoslavia and shall be deemed to have lost Yugoslav nationality as of the date on which they move.

Accept, Sir, etc.

M. MINIC

His Excellency Mr. Mariano Rumor  
Minister for Foreign Affairs of the Italian Republic

**(in the English version registered by Italy, 1987, “Ilb”)**

## **THE MINISTER FOR FOREIGN AFFAIRS OF THE ITALIAN REPUBLIC**

Osimo, Ancona, 10 November 1975

Sir,

With reference to article 3 of the Treaty signed on today's date, I have the honour to confirm the following:

My Government undertakes to recognize the acquisition of Yugoslav nationality by persons belonging to the Yugoslav ethnic group (of the Yugoslav minority) referred to in article 3 of the Treaty who, at the time of the entry into force of the Treaty, have their permanent residence in Italian territory and who, within one year from the date of the entry into force of the said Treaty, express through the Italian authorities, who shall notify the Yugoslav authorities accordingly, their intention to move to Yugoslavia and with respect to whom the Yugoslav Government informs the Italian Government that it considers them to be members of the Yugoslav ethnic group (of the Yugoslav minority) and recognizes that they have Yugoslav nationality.

Within three months from the date on which they have received the communication notifying them that they have been granted Yugoslav nationality, such persons must leave the territory of the Italian Republic and shall be deemed to have lost Italian nationality as of the date on which they move.

Accept, Sir, etc.

M.RUMOR

His Excellency Mr. Milos Minic  
Vice-Président of the Federal Executive Council and  
Federal Secretary for Foreign Affairs  
of the Socialist Federal Republic of Yugoslavia

Comment: The *“reference to article 3”* has already been explained in art. 3, but it's worth noting that Mr Rumor and Mr Minic in reality talk about the *“original citizens of the Free Territory of Trieste”* when they call them a Yugoslav or respectively Italian *“minority”* or *“ethnic group”*. On this point it must be clarified that the Permanent Statute of the FTT, that is Annex VI to the 1947 Peace Treaty, makes no distinctions between this multiethnic population, neither according to racial criteria of *“minorities”* nor according to Italian or Yugoslav *“ethnic groups”*. In fact, **article 4** reads as follows:

**“Human rights and fundamental freedoms”:**

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*“The Constitution of the Free Territory shall ensure to all persons under the jurisdiction of the Free Territory, without distinction as to ethnic origin, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of religious worship, language, speech and publication, education, assembly and association. Citizens of the Free Territory shall be assured of equality of eligibility for public office.”*

See also article 5 **“Civil and political rights”**:

*“No person who has acquired the citizenship of the Free Territory shall be deprived of his civil or political rights except as judicial punishment for the infraction of the penal laws of the Free Territory.”*

These provisions were written bearing in mind the fact that **in the FTT live not only citizens belonging to the Italian or Yugoslav ethnic group** (the latter alone consists of 7 different ethnic groups!) **but also a lot of other indigenous ethnic groups** who of course don't consider themselves either Italian or Yugoslav but German, Austrian, Hungarian, Greek, Spanish, Russian, English, American and so on. In addition, it's very important to know that as long as Trieste ruled itself as a city-state (until 1918) there were practically no problems as far as the coexistence of different ethnic groups is concerned. The problems arose only when the Italian irredentism, manipulated by the Italian Kingdom, reached the city; therefore, **the only way to maintain peace in the FTT is to bring back the respect for all ethnic groups, and in the FTT this is guaranteed by statute, as decided in 1947**. It appears that in 1947 people were much wiser than 28 years later, in 1975, when this unfortunate bilateral Treaty was signed.

The only article in the Permanent Statute of the FTT which refers to concepts like “Italian” and “Yugoslav” is art. 7, which in relation to the **“Official languages”** states as follows:

*“The official languages of the Free Territory shall be Italian and Slovene. The Constitution shall determine in what circumstances Croat may be used as a third official language.”*

Reading the articles of the **Permanent Statute of the FTT**, written in 1946-47, it seems almost incredible that you need so little **for a peaceful coexistence!!!**

### **Annex VII (in the English version registered by Italy, 1987, “1c”)**

#### **THE MINISTER FOR FOREIGN AFFAIRS OF THE ITALIAN REPUBLIC**

Osimo, Ancona, 10 November 1975

Sir,

With reference to article 3 of the Treaty signed on today's date, I have the honour to inform you of the following:

Persons who leave Italian territory on the basis of the aforesaid article shall, after payment of any debts or taxes for which they may be liable in that territory, be authorized to take their movable property with them or to sell it and to transfer any funds in their possession, provided that such property and such funds were acquired legally. The transfer of property shall not be subject to any export or import duty.

The transfer of property shall be made on conditions and within time-limits to be established by mutual agreement during the negotiations provided for in article 4 of the Treaty. The conditions and the time-limit for the transfer of funds, including proceeds from the sale of movable and immovable property, shall also be established during the same negotiations.

Accept, Sir, etc.

M. RUMOR

Comitato Porto Libero di Trieste

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His Excellency Mr. Milos Minic  
Vice-Président of the Federal Executive Council  
and Federal Secretary for Foreign Affairs  
of the Socialist Federal Republic of Yugoslavia

**(in the English version registered by Italy, 1987, "Ilc")**

**THE VICE-PRESIDENT OF THE FEDERAL EXECUTIVE COUNCIL AND FEDERAL SECRETARY FOR FOREIGN AFFAIRS OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA**

Osimo, Ancona, 10 Novembre 1975

Sir,

I have the honour to inform you that I have taken note of the content of your letter which reads as follows:

[See letter l c]

I have the honour to confirm that my Government is in agreement with the foregoing.

Accept, Sir, etc.

M. MINIC

His Excellency Mr. Mariano Rumor  
Minister for Foreign Affairs of the Italian Republic

Comment: As an answer to this exchange of letters we can quote the original version of art. 10 of Annex X to the 1947 Peace Treaty with Italy:

*"10. Persons who opt for Italian nationality and move to Italy shall be permitted, after the settlement of any debts or taxes due from them in the Free Territory, to take with them their movable property and transfer their funds, provided such property and funds were lawfully acquired. No export or import duties shall be imposed in connection with the moving of such property. Further, they shall be permitted to sell their movable and immovable property under the same conditions as nationals of the Free Territory.*

*The removal of property to Italy will be effected under conditions which will not be in contradiction to the Constitution of the Free Territory and in a manner which will be agreed upon between Italy and the Free Territory. The conditions and the time periods of the transfer of the funds, including the proceeds of sales, shall be determined in the same manner."*

It seems incredible that the original text of the 1947 Peace Treaty was copied in the letters of exchange between Rumor and Minic for the 1975 Treaty, but its true meaning was totally mystified and changed in a fraudulent one.

**Annex VIII (in the English version registered by Italy, 1987, "Id")**

**THE MINISTER FOR FOREIGN AFFAIRS OF THE ITALIAN REPUBLIC**

Osimo, Ancona, 10 November 1975

Sir,

With reference to article 3 of the Treaty between our two countries signed today, and notwithstanding its provisions, I have the honour to communicate to you the following:

Persons who, on the basis of the exchange of letters regarding nationality, are no longer of Yugoslav nationality and move to Italy shall be regarded, for the purposes of Italian

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legislation, as not having lost Italian nationality.

Accept, Sir, etc.

M. RUMOR

His Excellency Mr. Milos Minic  
Vice-Président of the Federal Executive Council  
and Federal Secretary for Foreign Affairs of the  
Socialist Federal Republic of Yugoslavia

**(in the English version registered by Italy, 1987, "Ilđ")**

**THE VICE-PRESIDENT OF THE FEDERAL EXECUTIVE COUNCIL AND FEDERAL  
SECRETARY FOR FOREIGN AFFAIRS OF THE SOCIALIST FEDERAL REPUBLIC OF  
YUGOSLAVIA**

Osimo, Ancona, 10 Novembre 1975

Sir,

I have the honour to confirm receipt of your letter which reads as follows:

[See letter Id]

I have the honour to inform you that my Government has no objection to the above.

Accept, Sir, etc.

M. MINIC

His Excellency Mr. Mariano Rumor  
Minister for Foreign Affairs of the Italian Republic

**Annex IX (in the English version registered by Italy, 1987, "Ie")**

**THE VICE-PRESIDENT OF THE FEDERAL EXECUTIVE COUNCIL AND FEDERAL  
SECRETARY FOR FOREIGN AFFAIRS OF THE SOCIALIST FEDERAL REPUBLIC OF  
YUGOSLAVIA**

Osimo, Ancona, 10 Novembre 1975

Sir,

With reference to article 4 of the Treaty signed on today's date, I have the honour to inform you that my Government is ready to grant the treatment envisaged in that article to immovable property belonging to persons who, on the basis of the second and third paragraphs of article 3 of the Treaty, leave Yugoslav territory without having disposed of their immovable property.

Such persons shall, after payment of any debts or taxes for which they may be liable in the territory from which they move, be authorized to take their movable property with them or to sell it and to transfer any funds in their possession, provided that such property and such funds were acquired legally.

The transfer of property shall not be subject to any export or import duty. The transfer of property to Italy shall be made on conditions and within time limits to be established by mutual agreement during the negotiations provided for in article 4 of the Treaty. The conditions and the time-limits for the transfer of funds, including proceeds from sales, shall also be established during the same negotiations.

Accept, Sir, etc.

M. MINIC

Comitato Porto Libero di Trieste

comitatoplt@gmail.com





His Excellency Mr. Mariano Rumor  
Minister for Foreign Affairs of the Italian Republic

**(in the English version registered by Italy, 1987, "Ile")**

**THE MINISTER FOR FOREIGN AFFAIRS OF THE ITALIAN REPUBLIC**

Osimo, Ancona, 10 November 1975

Sir,

I have the honour to inform you that I have taken note of the content of your letter which reads as follows:

[See letter Ie]

I have the honour to confirm that my Government is in agreement with the foregoing.

Accept, Sir, etc.

M. RUMOR

His Excellency Mr. Milos Minic  
Vice-Président of the Federal Executive Council  
and Federal Secretary for Foreign Affairs of the  
Socialist Federal Republic of Yugoslavia

[Comment: See above comment on the exchange of letters, Annex VII, Ic and Ilc.](#)

**Annex X (in the English version registered by Italy, 1987, "If")**

**THE MINISTER FOR FOREIGN AFFAIRS OF THE ITALIAN REPUBLIC**

Osimo, Ancona, 10 November 1975

Sir,

With reference to article 5 of the Treaty signed on today's date, I have the honour to confirm to you that we agree to the following:

In order to ensure the continuity of social security and retirement payments, the two Parties shall, pending the entry into force of the future agreement provided for in article 5, proceed in the following manner:

(a) In the case of persons who by virtue of article 3 move to the territory of the other Party, social security and retirement benefits shall be paid to them in advance by the social security institution of the Party to whose territory they have moved;

(b) In the case of persons who are in that part of the territory referred to in article 21 of the Treaty of Peace with Italy of 10 February 1947 that lies within the boundaries of the Socialist Federal Republic of Yugoslavia and towards whom Italian social security institutions have obligations, those institutions shall transfer to Yugoslav social security institutions the amounts corresponding to the said obligations, on the understanding that the Yugoslav social security institutions shall pay those amounts to recipients;

(c) In the case of persons who are in that part of the territory referred to in article 21 of the Treaty of Peace with Italy of 10 February 1947 that lies within the boundaries of the Italian Republic and towards whom Yugoslav social security institutions have obligations, those institutions shall transfer to Italian social security institutions the amounts corresponding to the said obligations, on the understanding that the Italian social security institutions shall pay those amounts to recipients.

Accept, Sir, etc.

Comitato Porto Libero di Trieste

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M. RUMOR

His Excellency Mr. Milos Minic  
Vice-Président of the Federal Executive Council  
and Federal Secretary for Foreign Affairs  
of the Socialist Federal Republic of Yugoslavia

(in the English version registered by Italy, 1987, “If”)

**THE VICE-PRESIDENT OF THE FEDERAL EXECUTIVE COUNCIL AND FEDERAL SECRETARY FOR FOREIGN AFFAIRS OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA**

Osimo, Ancona, 10 Novembre 1975

Sir,

With reference to article 5 of the Treaty signed on today's date, I have the honour to confirm to you that we agree to the following:

[See letter I f]

Accept, Sir, etc.

M. MINIC

His Excellency Mr. Mariano Rumor  
Minister for Foreign Affairs of the Italian Republic

Comment: See above, comment on articles 3, 4 and 5 of this Treaty (1975).  
Since also in this exchange letter art. 21 of the 1947 Peace Treaty is quoted many times, it's worth reminding that this article is referred to in the comment on the introduction to the 1975 Treaty of Osimo, at the beginning of article “The Illegal Appropriation of the FTT” Part two.

Up to now no nations – Italy and Yugoslavia included – have officially asked to modify the 1947 Peace Treaty; this means that all agreements and treaties which interfere with the provisions of the 1947 Peace Treaty are therefore null and void, e.g. the Memorandum of Understanding signed in London on 5 October 1954; the annexation of the A Zone of the FTT to the region Friuli Venezia Giulia in 1963, finalized in 1968 with the ultimate establishment of the Regione Friuli Venezia Giulia; the Osimo Treaty of 10 Novembre 1975 and the annexation of the Free Port of Trieste to Italy according to the Sentence of the Regional Administrative Tribunal (TAR) of Lazio No. 200902677 of 16 March 2009, and so on and so forth.

**It's therefore useless that the Italian and Yugoslav States try to change the legal situation of the International Nation of Trieste (FTT/FPT) without changing the Peace Treaty with Italy.**

**In addition, any legal changes regarding the Permanent Statute of the FTT can be asked for only by the original FTT citizens (native population) with the citizenship of the FTT, according to art. 6 of Annex VI to the 1947 Peace Treaty, or by the UN Security Council according to art. 37 of Annex VI, which reads:**

*“This Statute shall constitute the permanent Statute of the Free Territory, subject to any amendment which may hereafter be made by the Security Council. Petitions for the amendment of the Statute may be presented to the Security Council by the popular Assembly upon a vote taken by a two-thirds majority of the votes cast.”*

**Annex XI (in the English version registered by Italy, 1987, “Ig”)**

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**THE VICE-PRESIDENT OF THE FEDERAL EXECUTIVE COUNCIL AND FEDERAL SECRETARY FOR FOREIGN AFFAIRS OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA**

Osimo, Ancona, 10 Novembre 1975

Sir,

I have the honour to inform you of the following:

The terms "minority" and "ethnic group" appearing in the text of the Treaty and its annexes shall be translated in the Yugoslav languages by the term meaning "minority".

Accept, Sir, etc.

M. MINIC

His Excellency Mr. Mariano Rumor  
Minister for Foreign Affairs of the Italian Republic

**(in the English version registered by Italy, 1987, "Ilg")**

**THE MINISTER FOR FOREIGN AFFAIRS OF THE ITALIAN REPUBLIC**

Osimo, Ancona, 10 November 1975

Sir,

I have the honour to inform you of the following:

The terms "minority" and "ethnic group" appearing in the text of the Treaty and its annexes shall be translated in Italian by the term meaning "ethnic group".

Accept, Sir, etc.

M. RUMOR

His Excellency Mr. Milos Minic  
Vice-Président of the Federal Executive Council  
and Federal Secretary for Foreign Affairs  
of the Socialist Federal Republic of Yugoslavia

*Comment: The words "minority" and "ethnic group" don't belong to the language of the FTT citizens since the whole population is ethnically mixed, so **their right words are "original citizen of the FTT, i.e. the Triestini"**, as quoted also in art. 6 of Annex VI to the Peace Treaty with Italy:*

*"1. Italian citizens who were domiciled on 10 June 1940 in the area comprised within the boundaries of the Free Territory, and their children born after that date, shall become original citizens of the Free Territory with full civil and political rights. Upon becoming citizens of the Free Territory they shall lose their Italian citizenship.*

*Additional note: are considered as original citizens of the Free Territory also all those who were born after that date within the boundaries of the Free Territory (see Article 4 above and the "Universal Declaration of Human Rights of 10 December 1948")*

**Section IV**  
**FINAL ACT**

At the close of negotiations between the delegations of the Italian Republic and of the Socialist Federal Republic of Yugoslavia, the Plenipotentiaries of the two Governments have today signed at Osimo, Ancona:

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1. A Treaty between the two countries with ten annexes;
2. An Agreement on the development of economic co-operation between the two countries, with four annexes.

The two agreements shall be ratified as soon as possible in accordance with the constitutional procedures in force in the two countries. The instruments of ratification of the two agreements shall be exchanged on the same date and the two agreements shall enter into force simultaneously on the day of the exchange of the instruments of ratification.

DONE at Osimo, Ancona, on 10 November 1975, in two original copies in the French language.

M. RUMOR

M. MINIC

*Comment: "The two agreements shall be ratified as soon as possible in accordance with the constitutional procedures in force in the two countries", that is Yugoslavia and Italy, so they cannot be taken into consideration according to the PERMANENT STATUTE of the FREE TERRITORY and to the INSTRUMENT for the FREE PORT of TRIESTE, as well as to the PEACE TREATY with ITALY, because it is an independent State with its own legislation.*

## Conclusion

**For all the questions related to the territory of the International Nation of Trieste (FTT/FPT), this Treaty signed in Osimo on 10 November 1975 is NULL AND VOID because it doesn't comply with the laws in force in the said territory, stating that "... the delimitation of the frontiers for the part not indicated as such in the PEACE TREATY with ITALY of 10 February 1947", since the Peace Treaty refers to the delimitation of the frontier between the Free Territory and the bordering States of Yugoslavia and Italy.**

**Furthermore the Treaty of Osimo violates the following international treaties and agreements:**

1. 16° Resolution of UN Security Council, 10 January 1947
2. Treaty of Peace with Italy, Paris, 10 February 1947
3. The Universal Declaration of Human Rights, New York, 10 December 1948
4. CHARTER OF THE UNITED NATIONS, San Francisco, 26 June 1945
5. Memorandum of Understanding, London, 5 October 1954
6. International Convention on Territorial Sea and the Contiguous Zone, Geneva, 29 April 1958
7. FINAL ACT of the CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE, Helsinki, 1 August 1975

Comitato Porto Libero di Trieste

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