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Vir: **Pariška Mirovna Pogodba Ministrstvo za zun.zadeve RS Ljubljana, 15 sept 1997**

- Slovenski prevod se nahaja pod angleškim tekstom in je potemnjen.
- Opombe "Odbor Prosta Luka Trst" so poudarjene v modrem.

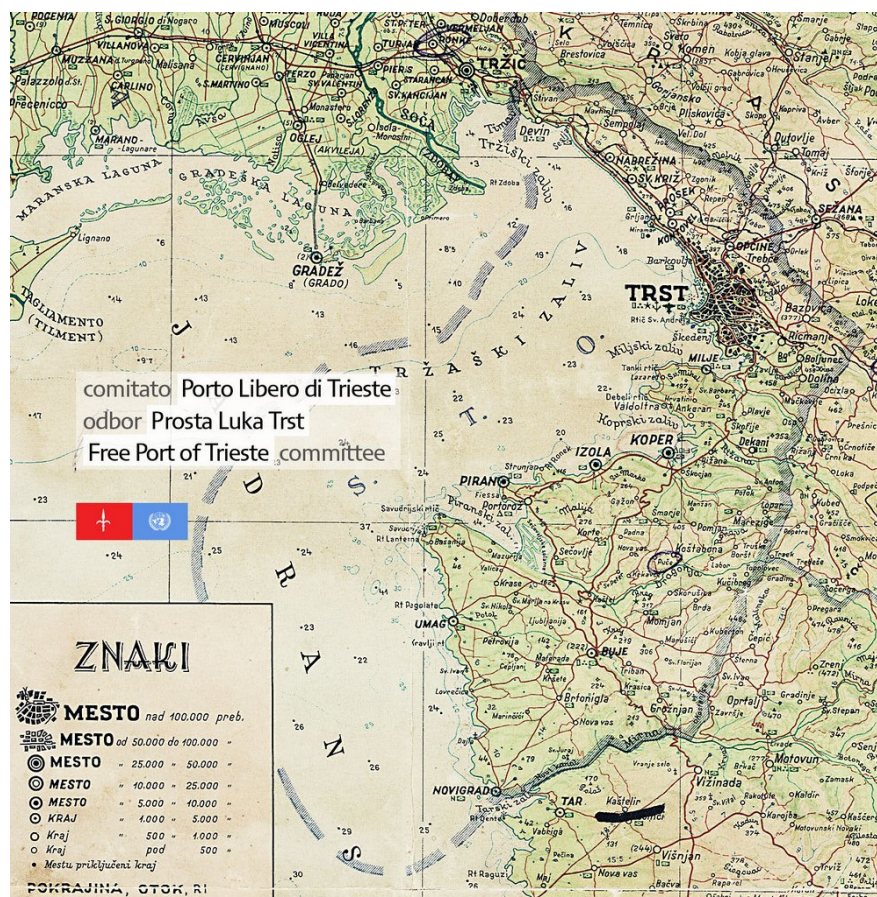
**ANNEX VI**  
**PERMANENT STATUTE OF THE FREE TERRITORY OF TRIESTE**  
**STALNI STATUT SVOBODNEGA TRZASKEGA OZEMLJA**  
(See Article 21 of Treaty of Peace)

Article 1  
**1. člen**

Area of Free Territory/ **Območje Svobodnega ozemlja**

The area of the Free Territory of Trieste shall be the territory within the frontiers described in Articles 4 and 22 of the present Treaty as delimited in accordance with Article 5 of the Treaty.

**Območje Svobodnega tržaškega ozemlja je ozemlje znotraj meja, opisanih v 4. in 22. členu te Pogodbe, kot je razmejeno v skladu s 5. členom te Pogodbe.**



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Article 2

**2. člen**

Integrity and independence/ **Celovitost in neodvisnost**

The integrity and independence of the Free Territory shall be assured by the Security Council of the United Nations Organization. This responsibility implies that the Council shall:

- (a) ensure the observance of the present Statute and in particular the protection of the basic human rights of the inhabitants.
- (b) ensure the maintenance of public order and security in the Free Territory.

**Celovitost in neodvisnost Svobodnega tržaškega ozemlja zagotavlja Varnostni svet Organizacije združenih narodov. Ta odgovornost pomeni, da Svet:**

- (a) zagotavlja izpolnjevanje tega statuta in zlasti varstvo temeljnih človekovih pravic prebivalcev.**
- (b) zagotavlja vzdrževanje javnega reda in varnosti na Svobodnem ozemlju.**

Article 3

**3. člen.**

Demilitarisation and neutrality/ **Demilitarizacija in nevtralnost**

1. The Free Territory shall be demilitarised and declared neutral.
2. No armed forces, except upon direction of the Security Council, shall be allowed in the Free Territory.
3. No para-military formations, exercises or activities shall be permitted within the Free Territory.
4. The Government of the Free Territory shall not make or discuss any military arrangements or undertakings with any State.

**1. Svobodno ozemlje se demilitarizira in razglasi za nevtralno.**

**2. Na Svobodnem ozemlju niso dovoljene nobene oborožene sile, razen po nalogu Varnostnega sveta.**

**3. Na Svobodnem ozemlju niso dovoljene nobene paravojske formacije, vaje ali dejavnosti.**

**4. Vlada Svobodnega ozemlja ne sme sklepati nobenih vojaskih dogovorov ali se o tem pogajati.**

Article 4

**4. člen.**

Human rights and fundamental freedoms/ **Človekove pravice in temeljne svoboščine**

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.

**Ustava Svobodnega ozemlja zagotavlja vsem osebam pod jurisdikcijo Svobodnega ozemlja, ne glede na narodnost, poreklo, spol, jezik ali vero, uživanje človekovih pravic in temeljnih svoboscin, vključno s svobodo verskih obredov, jezika, govora in**

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**objavljanja, izobraževanja, zbiranja in združevanja. Državljanom Svobodnega ozemlja se zagotavlja enakost glede primernosti za opravljanje javne funkcije.**

Article 5  
**5. člen.**

Civil and political rights/ **državljske in politične pravice**

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.

**Nikomur, ki je dobil državljanstvo Svobodnega ozemlja, se ne smejo odvzeti državljske ali politične pravice, razen ce bo tako sodno kaznovan zaradi kršitve kazenskih zakonov Svobodnega ozemlja.**

Article 6  
**6. člen.**

Citizenship/ **Državljanstvo**

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.

**1. Itajanski državljani, ki so imeli 10. junija 1940 stalno prebivalisce na območju znotraj meja Svobodnega ozemlja, in njihovi otroci, rojeni po lorn datumu, postanejo prvotni državljani Svobodnega ozemlja s polnimi državljskimi in političnimi pravicami. Ko postanejo državljani Svobodnega ozemlja, izgubijo italijansko državljanstvo.**

**Opomba: stojemo za prvotne državljane Svobodnega Ozemlja tudi vsi rojeni po tem datumu v meji ozemlja (glej zgornji clen 4 "Človekove pravice in temeljne svoboščine" 10 decembra 1948)**

2. The Government of the Free Territory shall, however, provide that the persons referred to in paragraph 1 over the age of eighteen years (or married persons whether under or over that age) whose customary language is Italian shall be entitled to opt for Italian citizenship within six months from the coming into force of the Constitution under conditions to be laid down therein. Any person so opting shall be considered to have re-acquired Italian citizenship. The option of the husband shall not constitute an option on the part of the wife. Option on the part of the father, or if the father is not alive, on the part of the mother, shall, however, automatically include all unmarried children under the age of eighteen years.

**2. Vlada Svobodnega ozemlja pa vendar zagotavlja, da bodo osebe, navedene v prvem odstavku, ki so starejše od osemnajst let (ali poročene osebe, mlajše ali starejše od osemnajst let), katerih običajni jezik je italijanščina, upravičene, da v šestih mesecih od začetka veljavnosti Uslave optirajo za italijansko državljanstvo pod pogoji, ki so v njej določeni. Za vsako osebo, ki tako optira, se šteje, da je ponovno pridobila italijansko državljanstvo. Opcija zakonskega moža ne pomeni hkrati tudi opcije v imenu njegove žene. Očetova opcija ali materina opcija, le oče ni več živ, pa avtomatično vključuje vse neporočene otroke, mlajše od osemnajst let.**

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3. The Free Territory may require those who take advantage of the option to move to Italy within a year from the date on which the option was exercised.

**3. ozemlje lahko zahteva, da se tisti, ki so izkoristili pravico opcije, preselijo v Italijo v letu dni od datuma optiranja.**

4. The conditions for the acquisition of citizenship by persons not qualifying for original citizenship shall be determined by the Constituent Assembly of the Free Territory and embodied in the Constitution. Such conditions shall, however, exclude the acquisition of citizenship by members of the former Italian Fascist Police (OVRA) who have not been exonerated by the competent authorities, including the Allied Military Authorities who were responsible for the administration of the area.

**4. Pogoji za pridobitev državljanstva za osebe, ki ne izpolnjujejo pogojev za prvotno državljanstvo, določi Ustavodajna skupščina Svobodnega ozemlja in so vsebovani v Ustavi. Ti pogoji pa izključujejo, da bi državljanstvo pridobili člani nekdanje italijanske fašistične policije (O.V.K.A.), ki jih niso rehabilitirale pristojne oblasti vključno z zavezniškimi vojaškimi oblastmi, ki so bile odgovorne za upravljanje tega območja**

**Opomba: Je naravno, da ko bo Svobodno Ozemlje postalo neodvisna Država, njih prvotni državljani, kateri sestavljajo Parlament (clen 12) bodo opravili zakon, ki določa o Trzaskem državljanstvu tudi za tiste, ki nimajo pravice, glej točko 1. Možnost dvojnega državljanstvo bo razpravljena s sporazumom z zanimanimi državami**

Article 7  
**7. člen.**

#### Official languages/ Uradni jeziki

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.

**Uradna jezika Svobodnega ozemlja sta italijanscina in slovenscina. Ustava določa, v katerih okoliscinah se lahko hrvascina uporablja kot tretji uradni jezik.**

Article 8  
**8. člen.**

#### Flag and coat-of-arms/ Zastava in grb

The Free Territory shall have its own flag and coat-of-arms. The flag shall be the traditional flag of the City of Trieste and the arms shall be its historic coat-of-arms.

**Svobodno ozemlje ima svojo zastavo in grb. Zastava je tradicionalna zastava Mesta Trieste/Trst in grb je njegov zgodovinski grb.**







Article 9  
**9. člen.**

Organs of government/ **Organi oblasti**

For the government of the Free Territory there shall be a Governor, a Council of Government, a popular Assembly elected by the people of the Free Territory and a Judiciary, whose respective powers shall be exercised in accordance with the provisions of the present Statute and of the Constitution of the Free Territory.

**Svobodno ozemlje upravljajo guverner, Vladni svet, Ljudska skupščina, ki jo izvolijo prebivalci Svobodnega ozemlja, in Sodni zbor; pooblastila nastetih se izvajajo v skladu z določbami tega Statuta in Ustave Svobodnega ozemlja.**

Article 10  
**10. člen.**

Constitution/ **Ustava**

1. The Constitution of the Free Territory shall be established in accordance with democratic principles and adopted by a Constituent Assembly with a two-thirds majority of the votes cast. The Constitution shall be made to conform to the provisions of the present Statute and shall not enter into force prior to the coming into force of the Statute.

**1. Ustava Svobodnega ozemlja se sestavi v skladu z demokraticnimi naceli in jo sprejme Ustavodajna skupščina z dvotretjinsko vecino vseh oddanih glasov. Ustava mora biti v skladu z določbami tega statuta in ne začne veljati pred začetkom veljavnosti Statuta.**

2. If in the opinion of the Governor any provisions of the Constitution proposed by the Constituent Assembly or any subsequent amendments thereto are in contradiction to the Statute he may prevent their entry into force, subject to reference to the Security Council if the assembly does not accept his views and recommendations.

**2. Če so po guvernerjevem mnenju katerekoli določbe Ustave, ki jih predlaga Ustavodajna skupščina, ali njene katerekoli poznejše spremembe v nasprotju s Statutom, lahko prepriči njihov Začetek veljavnosti, in če Skupščina ne sprejme njegovih stališč in priporočil, poroča Varnostnemu svetu.**

Article 11  
**11. člen.**

Appointment of the Governor/ **Imenovanje guvernerja**

1. The Governor shall be appointed by the Security Council after consultation with the Governments of Yugoslavia and Italy. He shall not be a citizen of Yugoslavia or Italy or of the Free Territory. He shall be appointed for five years and may be reappointed. His salary and allowances shall be borne by the United Nations.

**1. Guvernerja imenuje Varnostni svet po posvetovanju z vladama Jugoslavije in Italije. Guverner ne sme biti državljani Jugoslavije ali Italije ali Svobodnega ozemlja. Imenuje se za pet let in je lahko ponovno imenovan. Njegovo plačo in stroške krijejo Združeni**

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**narodi.**

2. The Governor may authorize a person selected by him to act for him in the event of his temporary absence or temporary inability to perform his duties.

**2. Guverner lahko pooblasti osebo, ki jo sam izbere, da ga nadomesca v primeru njegove zacasne odsotnosti ali zacasne nezmoznosti opravljanja dolznosti.**

3. The Security Council, if it considers that the Governor has failed to carry out his duties, may suspend him and, under appropriate safeguards of investigation and hearing, dismiss him from his office. In the event of his suspension or dismissal or in the event of his death or disability the Security Council may designate or appoint another person to act as Provisional Governor until the Governor recovers from his disability or a new Governor is appointed.

**3. Ce Varnostni svet meni, da guverner ne izpolnjuje svojih dolznosti, ga lahko ob upostevanju ustreznih jamstev preiskave in zaslisanja suspendira in odpoklice. V primeru suspenza ali odpoklica ali v primeru smrti ali nezmoznosti lahko Varnostni svet doloci ali imenuje drugo osebo, da deluje kol zacasni guverner, dokler si guverner ne opomore ali ni imenovan nov guverner.**

Article 12  
**12. člen.**

Legislative authority/ **Zakonodajna oblast**

The legislative authority shall be exercised by a popular Assembly consisting of a single chamber elected on the basis of proportional representation, by the citizens of both sexes of the Free Territory. The elections for the Assembly shall be conducted on the basis of universal, equal, direct and secret suffrage.

**Zakonodajno oblast izvaja Ljudska skupscina iz enega samega doma, ki ga na podlagi proporcionalne zastopanosti volijo drzavljeni in drzavljanke svobodnega ozemlja. Volitve v skupscino potekajo na podlagi splosnega, enakega, neposrednega in tajnega glasovanja**

Article 13  
**13. člen.**

Council of Government/ **Vladni svet**

1. Subject to the responsibilities vested in the Governor under the present Statute, executive authority in the Free Territory shall be exercised by a Council of Government which will be formed by the popular Assembly and will be responsible to the Assembly.

**1. Ob upostevanju odgovornosti, ki so zaupane guvernerju po tern statutu, izvaja izvrnilno oblast na Svobodnem ozemlju Vladni svet, ki ga ustanovi Ljudska skupscina in je njej tudi odgovoren.**

2. The Governor shall have the right to be present at all meetings of the Council of Government. He may express his views on all questions affecting his responsibilities.

**2. Guverner ima pravico biti navzoc na vseh sestankih Vladnega sveta. I ahko izraza**

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**svoja stalisca do vseh vprasanj, ki zadevajo njegove odgovornosti.**

3. When matters affecting their responsibilities are discussed by the Council of Government, the Director of Public Security and the Director of the Free Port shall be invited to attend meetings of the Council and to express their views.

**3. Ce Vladni svet razpravlja o zadevah, ki so v zvezi z njunimi odgovornostmi, sta direktor javne varnosti in direktor Prostega Pristanisca povabljena, da se udelezita sestankov Sveta in izrazita svoja slalisca.**

Article 14  
**14. člen.**

Exercise of judicial authority/ **Izvajanje sodne oblasti**

The judicial authority in the Free Territory shall be exercised by tribunals established pursuant to the Constitution and laws of the Free Territory.

**Sodno oblast na Svobodnem ozemlju izvajajo sodisca, ustanovljena v skladu z Uslavo in zakoni Svobodnega ozemlja.**

Article 15  
**15. člen.**

Freedom and independence of judiciary/ **Svoboda in neodvisnost sodstva**

The Constitution of the Free Territory shall guarantee the complete freedom and independence of the Judiciary and shall provide for appellate jurisdiction.

**Islava Svobodnega ozemlja zagotavlja popolno svobodo in neodvisnost sodstva in zagotavlja pritozbeno pristojnost.**

Article 16  
**16. člen.**

Appointment of Judiciary/ **Imenovanje sodnikov**

1. The Governor shall appoint the Judiciary from among candidates proposed by the Council of Government or from among other persons, after consultation with the Council of Government, unless the Constitution provides for a different manner for filling judicial posts; and, subject to safeguards to be established by the Constitution, may remove members of the Judiciary for conduct incompatible with their judicial office.

**1. Guverner po posvetovanju z Vladnim svetom imenuje sodnike izmed kandidalov, ki jih predlaga Vladni svet, ali izmed drugih oseb po posvetovanju z Vladnim svetom, razen ce Ustava ne predvideva drugacnega nacina za imenovanje na sodniska mesta; ob upostevanju jamstev, ki jih daje Ustava, lahko odstavi sodnike zaradi vedenja, ki ni zdruzljivo s sodnisko sluzbo.**

2. The popular Assembly, by a two-thirds majority of votes cast, may request the Governor to investigate any charge brought against a member of the Judiciary which, if proved, would warrant his suspension or removal.

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**2. Ljudska skupščina lahko z dvotretjinsko večino oddanih glasov zahteva od Guvernerja, da razisce vsako obozbo proti članom sodnega odbora, ki ima lahko, ce se dokaze, za posledico njegov suspenz ali odstavitev.**

Article 17  
**17. člen.**

Responsibility of the Governor to the Security Council/  
**Odgovornost guvernerja Varnostnemu svetu**

1. The Governor, as the representative of the Security Council, shall be responsible for supervising the observance of the present Statute including the protection of the basic human rights of the inhabitants and for ensuring that public order and security are maintained by the Government of the Free Territory in accordance with the present Statute, the Constitution and laws of the Free Territory.

**1. Guverner je kot predstavnik Varnostnega sveta odgovoren za nadziranje izvajanja tega statuta, vključno z varstvom temeljnih človekovih pravic prebivalcev, in za zagotavljanje, da vlada Svobodnega ozemlja vzdržuje javni red in varnost Svobodnega ozemlja v skladu s tem statutom, z Ustavo in zakoni Svobodnega ozemlja.**

2. The Governor shall present to the Security Council annual reports concerning the operation of the Statute and the performance of his duties.

**2. Guverner predlaga Varnostnemu svetu letna poročila o izvajanju Statuta in opravljanju svojih dolžnosti.**

Article 18  
**18. člen.**

Rights of the Assembly/ **Pravice Skupščine**

The popular Assembly shall have the right to consider and discuss any matters affecting the interests of the Free Territory.

**Ljudska skupščina ima pravico vse zadeve, ki so v zvezi z interesi Svobodnega ozemlja, preučiti in o njih razpravljati.**

Article 19  
**19. člen.**

Enactment of legislation/ **Sprejemanje zakonov**

1. Legislation may be initiated by members of the popular Assembly and by the Council of Government as well as by the Governor in matters which in his view affect the responsibilities of the Security Council as defined in Article 2 of the present Statute.

2. No law shall enter into force until it shall have been promulgated. The promulgation of laws shall take place in accordance with the provisions of the Constitution of the Free Territory. Nessuna legge potrà entrare in vigore prima di essere promulgata. La promulgazione delle leggi avrà luogo conformemente alle disposizioni della Costituzione del Territorio Libero.

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3. Before being promulgated legislation enacted by the Assembly shall be presented to the Governor.

4. If the Governor considers that such legislation is in contradiction to the present Statute, he may, within ten days following presentation of such legislation to him, return it to the Assembly with his comments and recommendations. If the Governor does not return the legislation within such ten days or if he advises the Assembly within such period that it calls for no comments or recommendation on his part, the legislation shall be promulgated forthwith.

5. If the Assembly makes manifest its refusal to withdraw legislation returned to the Assembly by the Governor or to amend it in conformity with his comments or recommendations, the Governor shall, unless he is prepared to withdraw his comments or recommendations, in which case the law shall be promulgated forthwith, immediately report the matter to the Security Council. The Governor shall likewise transmit without delay to the Security Council any communication which the Assembly may wish to make to the Council on the matter.

6. Legislation which forms the subject of a report to the Security Council under the provisions of the preceding paragraph shall only be promulgated by the direction of the Security Council.

**1. Zakonske pobude lahko dajejo clani Ljudske skupscine in Vladnega sveta, guverner pa v zadevah, ki se po njegovem mnenju nanasajo na odgovornosti Varnostnega sveta, kot so opredeljene v 2. členu tega statuta.**

**2. Noben zakon ne zacne veljati, dokler se ne razglasi. Razglas zakonov poteka v skladu z določbami Ustave Svobodnega ozemlja.**

**3. Zakon, ki ga Skupscina sprejme, je treba predložiti guvernerju, preden se razglasi.**

**4. Če guverner meni, da je tak zakon v nasprotju s tem statutom, ga lahko v desetih dneh po predložitvi vrne Skupscini skupaj s svojimi pripombami in priporocili. Če guverner zakona ne vrne v desetih dneh ali ce v tem casu obvesti Skupscino, da nima pripomb ali priporocil, se zakon nemudoma razglasi.**

**5. Če Skupscina izrazi svojo nepripravljenost, da bi zakon, ki ji ga je vrnil guverner, umaknila ali ga spremenila v skladu z njegovimi pripombami ali priporocili, guverner o zadevi nemudoma poroca Varnostnemu svetu, razen ce je pripravljen svoje pripombe ali priporocila umakniti; v slednjem primeru se zakon takoj razglasi. Guverner prav tako brez odlasanja posreduje Varnostnemu svetu kakrsnokoli sporočilo, ki ga Skupscina o tej zadevi zeli sporočiti Svetu.**

**6. Zakon, o katerem se poroca Varnostnemu svetu po določbah prejsnjega odstavka, se razglasi le po nalogu Varnostnega sveta.**

Article 20  
**20. člen.**

Rights of the Governor with respect to administrative measures/  
**Pravice guvernerja glede administrativnih ukrepov**

1. The Governor may require the Council of Government to suspend administrative measures which in his view conflict with his responsibilities as defined in the present Statute (observance

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of the Statute; maintenance of public order and security; respect for human rights). Should the Council of Government object, the Governor may suspend these administrative measures and the Governor or the Council of Government may refer the whole question to the Security Council for decision.

**1. Guverner lahko od Vladnega sveta zahteva, naj suspendira administrativne ukrepe, ki so po njegovem mnenju v nasprotju z njegovo odgovornostjo, kot je opredeljena v tem statutu (izpolnjevanje statuta; vzdrzevanje javnega reda in varnosti; spostovanje clovekovih pravic). Ce Vladni svet ugovarja, lahko guverner te administrativne ukrepe suspendira in guverner ali Vladni svet lahko celotno vprasanje predlozi Varnostnemu svetu v odlocanje.**

**Opomba: Guverner se lahko smatra kot Predsednik Države, s nadstranskimi funkcijami**

2. In matters affecting his responsibilities as defined in the Statute the Governor may propose to the Council of Government the adoption of any administrative measures. Should the Council of Government not accept such proposals the Governor may, without prejudice to Article 22 of the present Statute, refer the matter to the Security Council for decision.

**2. Guverner lahko v zadevah, ki so v zvezi z njegovo odgovornostjo, kot je opredeljena v Statutu, predlaga Vladnemu svetu, naj sprejme administrativne ukrepe. Ce Vladni svet takih predlogov ne sprejme, lahko guverner zadevo predloži v odlocanje Varnostnemu svetu, kar pa ne posega v 22. člen tega statuta.**

Article 21  
**21. člen.**

Budget/ Proračun

1. The Council of Government shall be responsible for the preparation of the budget of the Free Territory, including both revenue and expenditure, and for its submission to the popular Assembly.

**1. Vladni svet je odgovoren za pripravo proracuna Svobodnega ozemlja, vključno s prihodki in odhodki, in za njegovo predlozitev Ljudski skupscini.**

2. If the Assembly should fail to vote the budget within the proper time limit, the provisions of the budget for the preceding period shall be applied to the new budgetary period until such time as the new budget shall have been voted.

**2. Ce Skupscina v ustreznem roku ne izglasuje proracuna, se določbe proracuna za predhodno obdobje uporabljajo tudi za novo proracunsko obdobje do takrat, ko je izglasovan nov proracun.**

Article 22  
**22. člen.**

Special powers of the Governor/ Posebna pooblastila guvernerja

1. In order that he may carry out his responsibilities to the Security Council under the present Statute, the Governor may, in cases which in his opinion permit of no delay, threatening the

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independence or integrity of the Free Territory, public order or respect of human rights, directly order and require the execution of appropriate measures subject to an immediate report thereon being made by him to the Security Council. In such circumstances the Governor may himself assume, if he deems it necessary, control of the security services.

**1. Za izpolnjevanje svojih odgovornosti do Varnostnega sveta po tem slatutu lahko guverner v primerih, ki po njegovem mnenju ne dopuscajo odlasanja, ogrozajo neodvisnost ali celovitost Svobodnega ozemlja, javni red ali spostovanje clovekovih pravic, neposredno odredi in zahteva izvajanje ustreznih ukrepov, pod pogojem, da o tem takoj poroca Varnostnemu svetu. V takih okoliscinah lahko guverner, ce meni, da je lo potrebno, sam prevzame nadzor nad varnostnimi sluzbami.**

2. The popular Assembly may petition the Security Council concerning any exercise by the Governor of his powers under paragraph 1 of this Article.

**2. Ljudska skupscina lahko Varnostnemu svetu poslje peticijo glede izvajanja pooblastil guvernerja iz prvega odstavka tega člena.**

Article 23  
**23. člen.**

Power of pardon and reprieve/ **Pristojnost za pomilostitev in za omilitev kazni**

The power of pardon and reprieve shall be vested in the Governor and shall be exercised by him in accordance with provisions to be laid down in the Constitution.

**Guverner je pristojen za pomilostitev in za omilitev kazni in to dolznost opravlja v skladu z dolocbami, predpisanimi z Ustavo.**

Article 24  
**24. člen.**

Foreign relations/ **Odnosi s tujino**

1. The Governor shall ensure that the foreign relations of the Free Territory shall be conducted in conformity with the Statute, Constitution, and laws of the Free Territory. To this end the Governor shall have authority to prevent the entry into force of treaties or agreements affecting foreign relations which, in his judgment, conflict with the Statute, Constitution or laws of the Free Territory.

**1. Guverner zagotavlja, da so odnosi Svobodnega ozemlja s tujino v skladu s tem statutom, z Ustavo in z zakoni Svobodnega ozemlja. V ta namen je guverner pooblasten, da prepriči Začetek veljavnosti pogodb ali sporazumov, ki zadevajo odnose s tujino in ki so po njegovi presoji v nasprotju s statutom, Ustavo ali zakoni Svobodnega ozemlja.**

2. Treaties and agreements, as well as exequaturs and consular commissions, shall be signed jointly by the Governor and a representative of the Council of Government.

**2. Pogodbe in sporazume, kot tudi eksekvatur in patentna pisma, skupaj podpisujeta guverner in predstavnik Vladnega sveta.**





3. The Free Territory may be or become a party to international conventions or become a member of international organizations provided the aim of such conventions or organizations is to settle economic, technical, cultural, social or health questions.

**3.Svobodno ozemlje je lahko ali lahko postane pogodbenik mednarodnih konvencij ali član mednarodnih organizacij pod pogojem, da je cilj takih konvencij ali organizacij reševati gospodarska, tehnična, kulturna, socialna ali zdravstvena vprašanja.**

**Opomba: STO teoretično lahko postane del zmenka Schengen (odprta meja za prečkanje tovara in oseb)**

4. Economic union or associations of an exclusive character with any State are incompatible with the status of the Free Territory.

**4.Gospodarska unija ali povezovanje izključne narave s katerokoli državo sta nezdržljiva s statusom Svobodnega ozemlja.**

**Opomba: STO ne more biti del Evropske Unije.**

5. The Free Territory of Trieste shall recognize the full force of the Treaty of Peace with Italy, and shall give effect to the applicable provisions of that Treaty. The Free Territory shall also recognize the full force of the other agreements or arrangements which have been or will be reached by the Allied and Associated Powers for the restoration of peace.

**5. Svobodno trzasko ozemlje priznava polno veljavo Mirovne pogodbe z Italijo in izvaja določbe te Pogodbe, ki se nanj nanašajo. Svobodno ozemlje tudi priznava polno veljavo drugih sporazumov ali dogovorov, ki so jih za vzpostavitev miru sklenile ali jih bodo sklenile zavezniske in pridružene sile.**

**Opomba: STO bo priznalo, na primer kot suvereno državo Slovenijo in Hrvasko kot dediči ex Zavezniške Sile Jugoslavije.**

Article 25  
**25. člen.**

#### Independence of the Governor and staff/ **Neodvisnost guvernerja in osebja**

In the performance of their duties, the Governor and his staff shall not seek or receive instructions from any Government or from any other authority except the Security Council. They shall refrain from any act which might reflect on their position as international officials responsible only to the Security Council.

**Pri opravljanju svojih dolžnosti guverner in njegovo osebje niti ne isčejo niti ne sprejemajo navodil katerekoli vlade ali katerekoli druge oblasti razen Varnostnega sveta. Vzdržijo se vsakega dejanja, nezdržljivega z njihovim položajem mednarodnih uradnikov, ki so odgovorni le Varnostnemu svetu.**





Article 26  
**26. člen.**

Appointment and removal of administrative officials/  
**Imenovanje in odpuščanje upravnih funkcionarjev**

1. Appointments to public office in the Free Territory shall be made exclusively on the ground of ability, competence and integrity.

**1. Imenovanja v javno upravo na Svobodnem ozemlju se opravijo izključno na podlagi znanja, sposobnosti in neoporečnosti prosilcev.**

2. Administrative officials shall not be removed from office except for incompetence or misconduct and such removal shall be subject to appropriate safeguards of investigation and hearing to be established by law.

**2. Upravni funkcionarji ne morejo biti odstranjeni s položaja drugače kot zaradi nesposobnosti ali protipravnega vodenja, in taka odstranitev se opravi le ob upoštevanju ustreznih jamstev preiskave in zaslisanja, ki jih ima vpeljati zakon.**

Article 27  
**27. člen.**

Director of Public Security/ **Direktor javne varnosti**

1. The Council of Government shall submit to the Governor a list of candidates for the post of Director of Public Security. The Governor shall appoint the Director from among the candidates presented to him, or from among other persons, after consultation with the Council of Government. He may also dismiss the Director of Public Security after consultation with the Council of Government.

**1. Vladni svet predloži guvernerju seznam kandidatov za mesto direktorja javne varnosti. Guverner imenuje direktorja izmed kandidatov, ki so mu predstavljeni, ali izmed drugih oseb po posvetovanju z Vladnim svetom. Po posvetovanju z Vladnim svetom lahko direktorja javne varnosti tudi odpusti.**

2. The Director of Public Security shall not be a citizen of Yugoslavia or Italy.

**2. Direktor javne varnosti ne sme biti državljan Jugoslavije ali Italije.**

**Opomba: Direktor javne varnosti je lahko prvotni državjan STO (glej Člen 6).**

3. The Director of Public Security shall normally be under the immediate authority of the Council of Government from which he will receive instructions on matters within his competence.

**3. Direktor javne varnosti je običajno neposredno podrejen Vladnemu svetu, od katerega bo prejemal navodila glede zadev, ki so v njegovi pristojnosti.**

4. The Governor shall:

(a) receive regular reports from the Director of Public Security, and consult with him on any matters coming within the competence of the Director.

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(b) be informed by the Council of Government of its instructions to the Director of Public Security and may express his opinion thereon.

#### **4. Guverner mora:**

**(a) prejemati redna porocila od direktorja javne varnosti in se z njim posvetovati o zadevah, ki so v direktorjevi pristojnosti;**

**(b) biti obvescen s strani Vladnega sveta o njegovih navodilih direktorju javne varnosti in lahko o njih izraza mnenje.**

Article 28

**28. člen.**

#### Police force/ **Policija**

1. In order to preserve public order and security in accordance with the Statute, the Constitution and the laws of the Free Territory, the Government of the Free Territory shall be empowered to maintain a police force and security services.

**1. Za ohranjanje javnega reda in varnosti v skladu s statutom, Ustavo in zakoni Svobodnega ozemlja je vlada Svobodnega ozemlja pooblastena, da vzdrzuje policijo in varnostne sluzbe.**

2. Members of the police force and security services shall be recruited by the Director of Public Security and shall be subject to dismissal by him.

**2. Pripadnike policije in varnostnih sluzb najema in odpusca direktor javne varnosti.**

Article 29

**29. člen.**

#### Local government/ **Krajevna uprava**

The Constitution of the Free Territory shall provide for the establishment on the basis of proportional representation of organs of local government on democratic principles, including universal, equal, direct and secret suffrage.

**Ustava Svobodnega ozemlja predvideva ustanovitev organov krajevne uprave na podlagi proporcionalne zastopanosti po demokraticnih nacelih, vkljucno s splosnimi, enakimi, neposrednimi in tajnimi volitvami.**

Article 30

**30. člen.**

#### Monetary system/ **Denarni sistem**

The Free Territory shall have its own monetary system.

**Svobodno ozemlje ima svoj denarni sistem.**





Article 31  
**31. člen.**

Railways/ **Železnice**

Without prejudice to its proprietary rights over the railways within its boundaries and its control of the railway administration, the Free Territory may negotiate with Yugoslavia and Italy agreements for the purpose of ensuring the efficient and economical operation of its railways. Such agreements would determine where responsibility lies for the operation of the railways in the direction of Yugoslavia or Italy respectively and also for the operation of the railway terminal of Trieste and of that part of the line which is common to all. In the latter case such operation may be effected by a special commission comprised of representatives of the Free Territory, Yugoslavia and Italy under the chairmanship of the representative of the Free Territory.

**Ne da bi s tem posegalo v lastninske pravice na železnicah v okviru svojih meja in nadzora nad železnisko upravo, se lahko Svobodno ozemlje pogaja o sklenitvi sporazumov z Jugoslavijo in Italijo, ki bi zagotovili učinkovito in gospodarno obratovanje njegovih železnic. Taki sporazumi bi določali, kdo je odgovoren za obratovanje železnic v smeri proti Jugoslaviji oziroma Italiji in tudi za obratovanje trzaskе končne železniške postaje in skupnega dela proge. Za ta del bi obratovanje lahko zagotavljala posebna komisija, ki bi jo sestavljali predstavniki Svobodnega ozemlja, Jugoslavije in Italije pod predsedovanjem predstavnika Svobodnega ozemlja.**

Article 32  
**32. člen.**

Commercial aviation/ **Komercialno letalstvo**

1. Commercial aircraft registered in the territory of any one of the United Nations which grants on its territory the same rights to commercial aircraft registered in the Free Territory, shall be granted international commercial aviation rights, including the right to land for refueling and repairs, to fly over the Free Territory without landing and to use for traffic purposes such airports as may be designated by the competent authorities of the Free Territory.

**1. Komercialnim letalom, registriranim na ozemlju kateregakoli Združenih narodov, ki na svojem ozemlju daje enake pravice komercialnim letalom, registriranim na Svobodnem ozemlju, se podelijo mednarodne pravice za komercialno letalstvo, vključno s pravico do pristanka zaradi oskrbe z gorivom in popravil, do letenja nad Svobodnim ozemljem brez pristanka in do prometne uporabe tistih letališč, ki jih določijo pristojne oblasti Svobodnega ozemlja.**

2. These rights shall not be subject to any restrictions other than those imposed on a basis of non-discrimination by the laws and regulations in force in the Free Territory and in the countries concerned or resulting from the special character of the Free Territory as neutral and demilitarized.

**2. Te pravice niso pogojene s kakršnimikoli omejitvami, razen s tistimi, ki jih na podlagi nediskriminacije nalagajo zakoni in predpisi, ki veljajo na Svobodnem ozemlju in v zadevnih državah ali izhajajo iz posebne narave Svobodnega ozemlja kot nevtralnega in demilitariziranega ozemlja.**





Article 33  
33. člen.

Registration of vessels/ Registracija ladij

1. The Free Territory is entitled to open registers for the registration of ships and vessels owned by the Government of the Free Territory or by persons or organisations domiciled within the Free Territory.

**1. Svobodno ozemlje je upravičeno do odprtja registrov za registriranje ladij in plovil v lasti vlade Svobodnega ozemlja ali oseb ali organizacij s sedežem na Svobodnem ozemlju.**

2. The Free Territory shall open special maritime registers for Czechoslovak and Swiss ships and vessels upon request of these Governments, as well as for Hungarian and Austrian ships and vessels upon the request of these Governments after the conclusion of the Treaty of Peace with Hungary and the treaty for the re-establishment of the independence of Austria respectively. Ships and vessels entered in these registers shall fly the flags of their respective countries.

**2. Svobodno ozemlje odpre posebne pomorske registre za Češkoslovaške in švicarske ladje in plovila na zahtevo njunih vlad, kakor tudi na zahtevo vlad Madžarske in Avstrije za njune ladje in plovila po sklenitvi Mirovne pogodbe z Madžarsko oziroma pogodbe za ponovno vzpostav ter neodvisnosti Avstrije. Ladje in plovila, vpisana v te registre, plovejo pod zastavami svojih drzav.**

3. In giving effect to the foregoing provisions, and subject to any international convention which may be entered into concerning these questions, with the participation of the Government of the Free Territory, the latter shall be entitled to impose such conditions governing the registration, retention on and removal from the registers as shall prevent any abuses arising from the facilities thus granted. In particular as regards ships and vessels registered under paragraph 1 above, registration shall be limited to ships and vessels controlled from the Free Territory and regularly serving the needs or the interests of the Free Territory. In the case of ships and vessels registered under paragraph 2 above, registration shall be limited to ships and vessels based on the Port of Trieste and regularly and permanently serving the needs of their respective countries through the Port of Trieste.

**3. Pri izvajanju teh določb in ob upoštevanju katerekoli mednarodne konvencije, ki bi bila lahko sklenjena o teh vprašanjih s sodelovanjem vlade Svobodnega ozemlja, je ta upravičena, da postavlja take pogoje za registracijo, ohranjanje v registrih in izbris iz njih, ki bodo preprečevali kakršnokoli zlorabo, ki bi izhajala iz tako podeljenih ugodnosti. Za ladje in plovila, registrirane v skladu s prvim odstavkom zgoraj, se registracija omeji zlasti na ladje in plovila, ki so pod nadzorom Svobodnega ozemlja in se redno uporabljajo za njegove potrebe ali interese. Za ladje in plovila, registrirane v skladu z drugim odstavkom, se registracija omeji na ladje in plovila, ki imajo svojo matično pristanišče v trzaskem pristaniščih in se prek trzaskega pristanišča redno in stalno uporabljajo za potrebe svojih drzav.**





Article 34  
**34. člen.**

Free Port/ **Prosta Luka**

A Free Port shall be established in the Free Territory and shall be administered on the basis of the provisions of an international instrument drawn up by the Council of Foreign Ministers, approved by the Security Council, and annexed to the present Treaty (Annex VIII). The Government of the Free Territory shall enact all necessary legislation and take all necessary steps to give effect to the provisions of such instrument.

**Na Svobodnem ozemlju se ustanovi Prosto pristanišče, ki se bo upravljalo na podlagi določb mednarodnega instrumenta, ki ga je sestavil Svet zunanjih ministrov, odobril Varnostni svet in je priložen tej Pogodbi (Priloga VIII). Vlada Svobodnega ozemlja sprejme vso potrebno zakonodajo in ukrene vse potrebno za uveljavitev določb takega instrumenta.**

Article 35  
**35. člen.**

Freedom of transit/ **Svoboda transita**

Freedom of transit shall, in accordance with customary international agreements, be assured by the Free Territory and the States whose territories are traversed to goods transported by railroad between the Free Port and the States which it serves, without any discrimination and without customs duties or charges other than those levied for services rendered.

**V skladu z običajnimi mednarodnimi sporazumi Svobodno ozemlje in države, skozi katere se opravlja tranzit, zagotavljajo svobodo tranzita za blago ki se prevaža po železnici med Prostim pristaniščem in državami, ki ga uporabljajo, brez kakršnegakoli razlikovanja in brez carin ali dajatev, razen tistih, ki se zaračunavajo za opravljene storitve.**

Article 36  
**36. člen.**

Interpretation of Statute/ **Razlaga statuta**

Except where another procedure is specifically provided under any Article of the present Statute, any dispute relating to the interpretation or execution of the Statute, not resolved by direct negotiations, shall, unless the parties mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail 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. 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.

**Če katerikoli člen tega statuta ne določa drugačnega postopka, se spori v zvezi z razlago ali izvajanjem statuta, ki se ne rešijo z neposrednimi pogajanjmi, na zahtevo ene ali druge strani v sporu predložijo komisiji, ki jo sestavlja po en predstavnik vsake**

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**stranke, in tretji član, ki ga stranki soglasno izbereta med državljani tretje države, razen če se stranki medsebojno ne sporazumeta o drugačnem načinu reševanja. Če se stranki v mesecu dni od imenovanja tretjega člana ne sporazumeta, lahko ena ali druga članka zaprosi generalnega sekretarja Združenih narodov, naj imenovanje opravi on. Odlocitev komisije se sprejema z odlocitvijo vecine clanov komisije in je za obe strani dokončna in obvezna.**

Article 37  
**37. člen.**

Amendment of Statute/ **Sprememba Statuta**

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.

**Ta statut je stalni statut Svobodnega ozemlja ob upoštevanju kakršnekoli spremembe, ki jo utegne pozneje sprejeti Varnostni svet. Ljudska skupščina lahko predloži Varnostnemu svetu peticijo za spremembo statuta na podlagi glasovanja z dvotretjinsko večino oddanih glasov.**

Article 38  
**38. člen.**

Coming into force of Statute/ **Začetek veljavnosti Statuta**

The present Statute shall come into force on a date which shall be determined by the Security Council of the United Nations Organisation.

**Ta statut začne veljati na datum, ki ga določi Varnostni svet Organizacije narodov.**

