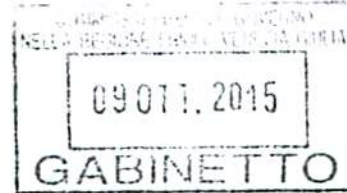




Trieste Libera
Svobodni Trst
Free Trieste



1) To the Commissar of the Italian Government
in Region Friuli Venezia Giulia
Francesca Adelaide Garufi
with the functions of article 70 Constitutional Law No. 1/1963

and, through them, to the Italian Government
as temporary civil administrator of the Free Territory of Trieste

2) To the Prefect *pro tempore* in Trieste
Francesca Adelaide Garufi
with the functions of article 70 Constitutional Law No. 1/1963

3) To Regione Friuli Venezia Giulia
represented by the President *pro tempore*
Debora Serracchiani
with the functions of article 70 Constitutional Law No. 1/1963

for information, to the

International Provisional Representative of the Free Territory of Trieste - IPR FTT

URGENT INVITATION TO ISSUE
the legislative and administrative measures
of temporary civil administration of Free Territory of Trieste
needed to suspend immediately, and then annul,
payment requests and implementing of the State of Italy
toward the EZIT - Ente Zona Industriale di Trieste

Despite all the complaint presented so far, the provisional Italian Government, entrusted with the temporary civil administration of the Free Territory of Trieste, keeps to illegally subject the citizens, enterprises and public bodies of the Free Territory to heavy, direct and indirect taxes of the State of Italy, which is a third Country.

These taxes are levied and collected under Italian laws that result to have not been extended to in the legislation of the Free Territory, as well as including shares of the Italian public debt, which the Free Territory of Trieste is not subject to (Treaty of Peace of Paris of 10 February 1947, Annex X, article 5).

The collection of taxes does also take place by force, and the amounts that are illegally collected from Trieste by provisional Italian authorities are illegally included in the budget of the State of Italy, instead of in the budget of the entrusted Free Territory.

The above mentioned, illegal levies and collection of taxes of the State of Italy did reduce and are reducing the economy of the Free Territory of Trieste, but also an increasing number of its citizens, enterprises and public bodies, to economic ruin.

Among the public bodies of the Free Territory of Trieste that are worst affected by illegal taxation there is the EZIT - *Ente Zona Industriale di Trieste* (organization for the development of the industrial zone of Trieste) established in 1949 with the name of "*Ente del Porto Industriale di Zaule*" (Body of the Industrial Port of Zaule) in execution of Order No. 104 of 12.V.1949 (Official Gazette No. 14 - 21 May 1949) of the first provisional Government of the Free Territory, the A.M.G. F.T.T.

The illegal fiscal impositions of the State of Italy to the EZIT are so heavy that their collection would cause the liquidation of the public body and the expropriation of its properties, which would be ceded to the State of Italy or sold to privates.

This unbearable damage to both the public properties and economy of the Free Territory of Trieste is already in progress, since the concessionaire of the collection, "Equitalia", has already started seizing amounts and properties of EZIT on behalf of the State of Italy.

Those actions of the provisional Italian Government and of the State of Italy violate the international obligations established with the Treaty of Peace of Paris of 10 February 1947, the Memorandum of Understanding of London of 5 October 1954 and the laws for their ratification and execution of the Italian legal (Law No. 811 of 2 August 1947; and Legislative Decree of the Provisional Head of State No. 1430 of 28 November 1947; and Law No. 3054 of 25 November 1952; and Decree of the President of the Republic of Italy of 27 October 1954, unnumbered), which override national and regional legislation by virtue of the Constitution of the Republic of Italy (article 10, paragraph 1 and 117, first paragraph).

The preventing the crime and the damage deriving from it is a legal obligation incumbent on the Italian Government as temporary civil administrator, to whose responsibility were entrusted the legislative and administrative powers over the Free Territory of Trieste on behalf of the Security Council of the United Nations, and to the administration bodies delegated by the provisional Government itself.

They consist in the legislative and administrative powers that, in compliance with the Treaty of Peace, were temporary entrusted, from 15.IX.1947 to the A.M.G. F.T.T. and since 5.X.1954 to the Italian Government, which has delegated them to a *Commissario Generale del Governo* - General Commissar of the Government (Decree of the President of the Republic of Italy of 27 October 1954, unnumbered).

Due to article 70 of Constitutional Law No. 1/1963 the exercise of the same legislative and administrative powers was subdivided among three other bodies, that exercise them to this day: mainly the Commissar of the Government in Region Friuli Venezia Giulia and, for other matters, the Prefect and Region Friuli Venezia Giulia itself.

The three bodies, in person of by their own legal representatives *pro tempore*, are therefore the ones holding directly the power and legal obligation to prevent, by their own, immediate and effective the illegal imposition of taxes toward the EZIT and the consequent damages to this public body and to the whole economy of the Free Territory of Trieste.

Therefore, the Free Trieste Movement requests that the Commissar of the Government, the Prefect and Region Friuli Venezia Giulia, each for the part that falls under their competences, fulfill this obligation taking care to issue, immediately, the needed legislative and administrative measures to immediately suspend the payment requests and related actions of illegal collection of the State of Italy toward the EZIT, and then rule their annulation.

In case of failure to fulfill the obligation, or in case the obligation is fulfilled too late, inefficaciously or partially, the Free Trieste Movement takes care:

- to formally inform of the violation the I.P.R. F.T.T. - International Provisional Representative of the Free Territory of Trieste, delegating it to implement the needed international defenses;
- to promote, toward the liable functionaries and public Italian administrators, the needed actions of criminal punishment and civil compensation of damages.

Trieste, 9 October 2015.

On behalf of the Free Trieste Movement
President Roberto Giurastante

