



Press Conference of 29.12.2016

**Beginning of the requests to place
the Municipalities of Trieste and of Muggia
under compulsory administration**

Today, the Free Trieste Movement started presenting the requests of some of the most informer citizens of the Free Territory of Trieste for the Municipalities of Trieste and of Muggia be placed under compulsory administrations: the documents address the administering Italian Government through the Commissar of the Government that represents it in Trieste, a copy of which is sent also to the International Provisional Representative of the Free Territory of Trieste - I.P.R. F.T.T. for the actions that fall under its own competences.

The first 442 acts lodged will be followed by more acts, which are going to be presented as they are collected and organized by the Movement, in its office of piazza della Borsa 7, as well as at the info point around the city, where the dissatisfaction for the municipal administration is quickly spreading.

The legal base of the request is the same that was announced during the elections: the illegality, established also by the Italian Constitution, of the enforcement of electoral laws of the Italian State that were never extended to the Free Territory, and violate the proportional principle of its voting system and legal order.

But additionally to this fundamental reason, there are also the illegal and intollerabile behaviors of the elected administration, that of mayor Dipiazza, which abuses of its powers to persecute the poor; it spends money for futilities in breach of its obligation to provide social assistance to the poor, and it exposes the Municipality to bankruptcy due to the immense costs of the illegal acquisition of the Northern Free Port.

First, we need to summarize the legal grounds exposed in the request to place the two public bodies under compulsory administration. By virtue of the specific acts and instruments of international law in force, the Municipalities of Trieste and of Muggia belong to the present-day Free Territory of Trieste, established since 15 September 1947 as an independent sovereign State, provided with an International Free Port, placed under the direct protection of the United Nations Security Council and entrusted, since 1954, under the temporary civil administration of the Italian Government.

The Constitution of the Italian Republic, establishing the sovereign, indivisible territory of that State (art. 5) since 1.1.1948 within the borders already redefined by virtue of the Treaty of Peace does therefore exclude the Free Territory of Trieste, all ceded territories and colonies, as well as constraining the Italian legal system to international obligations (arts. 10, first paragraph, and 117, first paragraph), which include those Italy accepted in regard to the Free Territory of Trieste.

It is two kinds of international obligations: those accepted by Italy with the laws, in force, that ratify and execute in full the Treaty of Peace, and those accepted by the Italian Government with the mandate of temporary civil administration that it exercises to date.

The recognition and the execution of the international obligations of Italy towards the Free Territory of Trieste are therefore a Constitutional legal duty of all bodies of the Italian Republic and of its public officers, whose consequent civil, administrative, and criminal liabilities do also include the obligation to prevent any violation (art. 40, Italian Criminal Code);

For the same reason, the role of the Italian Government as temporary civil Government administering the present-day Free Territory of Trieste is different and separate from the role and functions of the Italian Government as permanent Government of State of the Italian Republic, and it is exercised by delegating it, pursuant to art. 70 of Italian Constitutional Law 1/1963, mainly to a Commissar of the Government and, for other matters, to a prefect and to the bordering, administrative Italian Region.

However, contrarily to the British - United States administration, that of the Italian Government prevents the citizens of the Free Territory of Trieste from holding free elections of their own political bodies and representatives of State, and it forces by illegal means their inclusion within the politico-electoral and fiscal system of the Italian State, which is a third Country, to simulate its sovereignty over the State.

Those abuses deprive the citizens of the Free Territory of Trieste of their fundamental political and economic rights (*no taxation without representation*), causing very serious moral and material damages to all of them, as well as violating international law as well as the legal order of the Free Territory and the Constitutional legal order of the Italian Republic itself.

The legal consequence is that all acts with which the temporary civil administering Italian Government or any other body of the Italian Republic simulate the sovereignty of the Italian State over the present-day Free Territory of Trieste are *ipso facto* null and void.

The Municipalities of the Free Territory of Trieste are subject to the legal order established by the Treaty of Peace with Annex VI - Permanent Statute) and by Annex VII - Provisional Regime, which, at article 2, implements also all compatible provisions of the Permanent Statute, including the voting system (arts. 12 and 29), which is grounded on proportional representation, elected following the democratic principle of equal vote.

This makes it also radically illegal enforcing, in the Free Territory of Trieste, the Italian voting system, which is not proportional and therefore makes votes unequal.

The consequent nullity of the elections of the Italian State, of any rank and degree, in the Free Territory of Trieste makes any outcome void, as well as establishing the legal

obligation of the administering Italian Government to place the local bodies under compulsory administration until the legitimate elections.

Those conditions apply to the administrative elections held in June 2016 in the Municipalities of Trieste and of Muggia, and they can cause serious damages both because of the nullity and voidness of the acts of municipal administration, and due to the fact that the office might be assigned to politicians who are not supported by the majority of the citizens, therefore represent small unsuitable or extremist groups that would have never been elected by the majority of voters.

This problem was already visible in Trieste due to the ineptitudes and ideologist vision of the previous centre-left municipal administration of former mayor Roberto Cosolini, but it got worse, also under an ethical perspective, with the coming into office of the current, center-right administration of mayor Roberto Dipiazza.

The most visible and relevant facts are three. The majority of the citizens is shocked and disgusted, and the reputation of the city is damaged, by the fact that the Dipiazza administration, his vice-mayor Roberti in particular, abused of their powers to persecute the weakest: homeless and beggars, as well as for establishing tax verifications on the financial statements of the people and families who live in poverty.

Additionally to this, the Dipiazza administration, much more than the previous, disastrous Cosolini administration, has increased unnecessary and even futile spending, without fulfilling its primary obligations to provide social assistance, because it does not provide enough funding to cover the conditions of the people and families in need, who face serious, worsening economic difficulties.

At the same time, the Dipiazza administration did not give up on the illegal appropriation of the Northern Free Port, being aware of its illegitimacy notwithstanding and despite the fact that the Municipality cannot bear its enormous cost without going bankrupt. Just like the previous Cosolini administration, the person one does therefore aim at selling the ream at the earliest possible time to speculators who are already organized for it since time.

Those behaviors, which are already enough to place the Municipality of Trieste under ordinary compulsory administration, are preceded by the absolute nullity and voidness and by the unconstitutionality, which regards also the Municipality of Muggia, of the election of its representatives within the political-electoral system of the Italian State.

So, those are the grounds of our requests to the administering Italian Government to correctly place, at the earliest possible time, the Municipalities of Trieste and of Muggia under compulsory administration until the legitimate elections in accordance with the legal order of the administered Free Territory.

The collection of signatures on the dedicated forms does therefore continue in our office, info points, and during all public meetings of the Municipality. And it is probable that soon there will be also more reasons to support it.