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TRIEST NGO
The Human Rights, Civil and Economic Development Initiative for the Free Territory of Trieste

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APPEAL FOR THE FREE CIRCULATION OF GOODS AND SHIPS TO AND FROM THE INTERNATIONAL FREE PORT OF TRIESTE

INSTRUMENT OF PACIFIC COEXISTENCE • OFFICIAL LEGAL REPRESENTATION

SECTION I ENACTMENT OF UNILATERAL SANCTIONS ON MARITIME TRAFFIC

Since 17 April 2022, the ban on passage and docking in Italian ports for Russian ships has been in force due to the sanctions imposed on Russia for the conflict in Ukraine. A circular from the General Command of the Italian Port Authorities, which transposes the European Union regulation of 8th April on restrictive measures against Russia, establishes that:

> *"Article 3 sexies bis has been inserted which prohibits access to national ports for Russian-flagged ships, after April 16, 2022; this measure also applies to ships that have changed their flag, from Russian to any other nationality, after February 24, 2022."*

SECTION II SPECIAL INTERNATIONAL LEGAL REGIME • PARIS PEACE TREATY OF 1947

However, the international Free Port of Trieste cannot be considered as any ordinary Italian national port since it holds a unique **"Free Port"** status within the European geographical area by virtue of the **Paris Peace Treaty of 1947**. The treaty, in fact, predates the constitution of the European Union and is therefore fully transposed and recognized by EU legislation. It has Russia among its signatories, in the privileged position of one of the Allied Powers that won the Second World War.

The status of "Free Port" for the port of Trieste is established by the Peace Treaty and strictly regulated by its **Annex VIII**, in force and implemented in the **Memorandum of London of 1954**. It provides for the right of access and use to all States without any privilege or exclusion:

> **Article 1 of Annex VIII:** "In order to ensure that Trieste's port and transit facilities will be available for use on an equal basis by all international trade and [former] Yugoslavia, Italy and the states of Central Europe, in the manner as is usual in the other free ports of the world. The goods that will pass through the Free Port of Trieste will enjoy the freedom of transit."
> **Article 5 of Annex VIII:** "Merchant and freight ships from all countries will be allowed unrestricted access to the Free Port."

90%	10%	1947	TAL-SIOT
INTERNATIONAL TRAFFIC	ITALIAN DOMESTIC MARKET	PARIS PEACE TREATY	STRATEGIC PIPELINE

Regardless of any assessment of the ongoing conflict in Ukraine, it is noted that the ban issued by the Italian State against Russian ships applied to the Port of Trieste violates the international obligations assumed. It limits the free circulation of ships and goods of all countries and constitutes a dangerous precedent that currently affects Russia, but in the future could concern anyone at the unilateral discretion of the Italian State—a State that has the mere administration of an international area located outside its sovereign borders.

SECTION III SUPPLY CORRIDORS & NON-SANCTIONED THIRD STATES

Currently, **90% of the activity** of the Free Port of Trieste is aimed at the international market and only 10% at the Italian market. Sovereign nations that do not apply sanctions to Russia, such as Israel and Turkey (as indeed the great majority of UN Member States), maintain intense maritime relations with the Free Port of Trieste. Furthermore, European countries such as Hungary and Germany have designated terminals and hold the legitimate sovereign right to apply policies distinct from Italian directives regarding trade and sanctions.

JURISDICTION / PARTNER	OPERATIONAL STATUS IN TRIESTE	INTERNATIONAL TREATY BASIS
Central European States (Germany, Austria, Czechia)	Direct supply via TAL-SIOT oil pipeline originating primarily from the Black Sea.	Right of transit without customs duties, full equality of treatment (Annex VIII, Art. 1–3).
International Partners (Turkey, Israel, UN Members)	Intermodal container routes, Roll-on/Roll-off rail highway corridors.	Unrestricted access to merchant ships from all nations without political embargo (Art. 5).
Administering Authority (Italian Port Authority)	Ordinary administrative mandate; extraterritorial commercial regime.	Administrative role strictly limited; no sovereign power to unilaterally restrict access.

The circular of the General Command of the Port Authorities specifically provides that *"the competent authorities may authorize a ship to access a port, under the conditions they deem appropriate"*, if necessary for *"the purchase, import or the transport to the European Union of natural gas and petroleum, including products deriving from the refining of petroleum, titanium, aluminum, copper, nickel, palladium, iron ores, as well as certain chemicals and ferrous products listed."*

However, it cannot be considered acceptable that an international Free Port functions at the arbitrary discretion of a local authority, such as the Port Authority of Trieste, with directives issued on its own initiative and for its own benefit, deciding unilaterally who to admit and who not, and under what conditions, to the direct detriment of the international community.

SECTION IV MANDATE FOR PEACEFUL COEXISTENCE & FREE NAVIGATION

This unlawful precedent undermines the fundamental principles of the **freedom of international trade**, the **freedom of navigation**, the **rule of law**, and the collective interest of the international community in peaceful coexistence. All the peoples of the world aspire to peace, the protection of their human rights, and freedom—and among these essential freedoms resides the legitimate right to trade in order to improve economic and social conditions.

The Free Port of Trieste was conceived in 1947 by the international community after the Second World War as an enduring instrument for the economic development of all the States of the world, on the strict condition that its prerogatives and special legal status are not compromised and are respected. The provisions of international peace treaties cannot be violated for any reason.

ISSUED ON BEHALF OF:
TRIEST NGO • Free Territory of Trieste Initiative
London, United Kingdom • Trieste International Hub

Signatory & Representative:
Alessandro Gombač
TRIEST NGO EXECUTIVE REPRESENTATION

OFFICIAL STATUTORY ANNEX: 1947 Paris Peace Treaty between Italy and the Allied Powers; its Annex VIII *"Instrument for the Free Port of Trieste"* (implemented under the London Memorandum of 1954).

London, 22 April 2022