



Press Conference of Monday, 24 August 2015

The Free Trieste Movement has opened again
the dispute on the ownership

Trieste: the ownership transfers of the Northern Free Port are blocked

Defined "a fraud" the operations forces by the PD

The news is that, in spite of the continuous declarations of local politicians who claim the opposite, any action to transfer to the City the areas of the Northern Free Port is blocked by the action of verification and registration of the current ownership, as established by specific norms of the Treaty of Peace of 1947 and by the Italian laws of ratification and execution.

This is because the Free Trieste Movement has perfect with a new act, presented in the past days, the procedure to register and assign the property according to the Treaty, which establishes that the area becomes State Property of the Free Territory of Trieste, owned and used by the State Corporation "International Free Port of Trieste". The document is being published on line and notified to the organizations concerned.

Before explaining the mechanism of the act, to have a better understanding of its relevance and of the size of the stakes, it is necessary establishing this cases's framework as clearly as possible.

An international fraud organized with Italian politicians and officers

The attempt to eliminate half of the international Free Port of the Free Territory of Trieste and sell its areas is a massive fraud, organized with the active and passive participation of important Italian politicians and officers, which is under anti-mafia questions and investigations as well as under the international attention of the damaged Countries.

Due to this, the promoters of the fraud are attempting to accelerate it as much as possible with enormous pressing and rush carried out by representatives of the PD, whom did even have Minister Lupi and the President of the Port Authority Monassi substituted by a new, favourable minister and Commissar of the Port.

What is this fraud about and what is its value

The fraud consists in the gradual emptying, through years, of the northern sector of the international Free Port and in the sabotage of its reuse to convince all that it is impossible, in order to gain possession of the area, in breach of the

constraints established under international law, to destinate it to urban uses and sell it after illegally removing its status of free port.

The goals of the fraud are a massive building and housing speculation over the area and the permanent deviation of the traffics from the Baltic-Adriatic axis, from Trieste to the ports of the Italian peninsula, especially the ports of Napoli, Gioia Tauro, Taranto e Bari.

The value of the building and housing speculation is about EUR 1,5 billions, while the value of the permanent deviation of the traffics is even invaluable. Both operations are illegal and cover areas known to be of particular interest of Italian mafias.

This fraud would cause extended damages to the citizens and to the enterprises of the Free Territory of Trieste, as well as to the States holding general and special rights over the international Free Port and to their own enterprises. Therefore, all these subjects have a legal title to oppose to the fraud, and the means to oppose to it are rather simple.

Who are the most exposed politicians, known persons and the officers

The most exposed representatives of the PD who support the illegal operation are the mayor of Trieste Roberto Cosolini, the president of the Regione and national vice-secretary of the party, Debora Serracchiani, deputy Ettore Rosato, current leader of the Party at the *Camera*, and senator Francesco Russo.

Among the most notorious persons involved in the preliminary phases of the illegal operation there are builder Enrico Maltauro, arrested for bribing linked to the Milano Expo, and Vittorio Sgarbi when he was mayor, with the support of a notorious boss of the Mafia, of the Municipality of Salemi, which was terminated because of its involvement with the Mafia.

The most involved Italian officers are the previous and current Prefect and Commissar of the Government in the Region, Alessandro Giacchetti (2010-2012) and Francesca Adelaide Garufi (dal 2012), the current Commissar of the Port Authority, Zeno d'Agostino and the national and local representatives of the *Agenzia del Demanio dello Stato italiano* (Italian State Property Office).

The procedure to verify and register the property

Since the Treaty of Peace is in force and it is fully implemented in the Italian legal system with laws of ratification in legal force, its provisions are international obligations, prevail on Constitutional law and also on Italian national and regional laws.

Due to this, the provisions of the Treaty prevail also on the anticonstitutional amendments that senator Russo was able to insert, eight months ago, in an Italian law to attempt simulating the lawfulness of the fraud, and on the laws for the

management of the Land Registry system that, as for Trieste, proofs the ownership and the constrains on immovable properties.

Due to this, these international norms must be implemented first, on demand or *ex officio*, even as necessary premise of each successive request to amend them.

The promoters of the fraud against the Northern Free Port, to this moment, attempted to get around the problem of the ownership of the immovable properties taking advantage of the fact that these were not registered in the Land Registry Office, rather, they were registered in the registry of public properties with unchanged use.

But, in order to change the destination of use, they should register the ownership at the Land Registry Office, they admit it themselves in their project for the removal from State Property. But in order to register that, they should present legal titles prevailing on the Treaty of Peace, which do not exist, or they should have illegal extraordinary protections from local magistracy and from the Land Registry Judge.

This is why, since April 22nd, the Free Trieste Movement activated the procedure to complete the Land Registry Book by registering the properties, including their ownership and constrains, as established under the Treaty of Peace and under its Italian laws of execution and ratifications.

The attempt to refuse the procedure

The department of the civil Court of Appeal of Trieste with competences on the proceedings on voluntary jurisdiction did not dispute over the legal title, not over the legitimacy of the question, on the contrary, on 16 June 2015 it decided to not execute it claiming that it is not necessary registering the properties in the Land Registry Office, unless this changes their nature.

But after this decision of the Court, the politicians and the functionaries promote the illegal operation rushed in to undersign, as early as on July 9th, their project for the removal from State Property to change the nature of the properties and register the port under the ownership of the Municipality of Trieste.

Reopening the procedure ad its perspectives

This is how the Free Trieste Movement renewed the request, presenting their very 9 July project as an evidence of the necessity to register at the Land Registry Office the property as part of the “*Demanio del Territorio Libero - Porto Franco internazionale*” (State Property of the Free Territory - International Free Port), as well as a warning against giving priority to any other different action by third parties.

Of course, we are awaiting the outcomes. But even if we receive another negative answer, the request can be presented again, blocking any request grounded on successive - but legally inferior - to the Treaty of Peace.

Also, all of this means that these politicians promised to urbanize and sell areas that were not available to them and, therefore, and by trying to force the situation now they would commit national and international crimes that give rise to ex officio prosecution.

And their situation would not improve even if somebody got rid of us, because both international and Italian laws would remain into legal force, and international attention would intensify, and so would anti-mafia and anti-corruption investigations.

Investigations that consider as evidence of a pressing, covered system of criminality, the fact that only the Free Trieste Movement and investigative newspaper La Voce di Trieste, so far, were brave enough to openly question the evident fraud against the Free Port and, due to this, they received both retaliations from the institutions and threatens from the 'ndrangheta.

Anyways, in spite of the disproportion of forces, we and the law are winning. And, along with us and the law, wins Trieste.