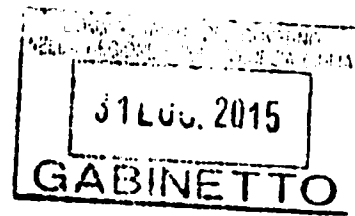




Trieste Libera
Svobodni Trst
Free Trieste
Freies Triest



**To the Commissar of the Italian Government in Region Friuli Venezia Giulia
prefect Francesca Adelaide Garufi**

in her special functions of temporary civil administration of the
Free Territory of Trieste (article 70, Constitutional Law No 1/1963, Decree of the
President of the Republic 27.10.1954)

**REQUEST TO ABROGATE THE DECREES
OF THE COMMISSAR OF THE GOVERNMENT
FOR THE TERRITORY OF TRIESTE**

**No. 191/1957 (Official Bulletin No. 36 of 24.12.1957) No. 73/1958 (Official
Bulletin No. 29 of 11.10.1958) concerning military conscription, and of all
other related or consequent commissarial acts.**

The Movimento Trieste Libera / Gibanje Svobodni Trst / Bewegung Freies
Triest / Free Trieste Movement, as political organization with the character of an
international subject, which represents the rights and legitimate interests of the
citizens *de jure* and of the residents of the current Free Territory of Trieste as well
as protecting the interests of all States of the International Community and of the
European Union to the full, correct and undisturbed functioning of the
international Free Port of Trieste;

taking into account that

with the above mentioned acts, still in force, since 1 January 1958, the citizens of
the Free Territory of Trieste were illegally forced into obligatory military
conscription to scare out military service in the Armed Forces of Italy, as well as
to swear an oath of fidelity to the State of Italy, under threat of serious
punishments;

with said decrees and by their enforcement, the administering Italian
Government, the Commissar it has delegated and the State of Italy did violate and
are violating:

a) the Treaty of Peace between the Allied and Associated Powers and Italy, in
force, which, at article 3, Annex VI, establishes and regulates the demilitarisation
and neutrality of the Free Territory of Trieste;

b) the Italian laws of ratification and execution of the Treaty, in force: Law No. 811 of 2 August 1947, Legislative Decree of the Provisional Head of State No. 1430 of 28 November 1947, Law No. 3054 of 25/11/1952;

c) articles 10, sub-paragraph 1 and 117, sub-paragraph 1 of the Constitution of the Republic of Italy;

the violations reported were covered up by Italian authorities by having each Triestine draftee pretentiously signing a blank paper, on which would then be filled, without their knowledge, a false request for voluntary military service, notwithstanding the fact that misusing a sheet signed in blank constitutes a criminal offence under article 486 of the criminal code;

this illegitimate forced conscription, covered by further crimes has been committed by conscripting the men born between 1932 to 1985, causing significant damages to a high number of citizens of the Free Territory of Trieste and to their families, by subtracting part of their personal life and work, for the harassment and violence that many of them had to suffer, as well as for the injuries and accidental death of many others;

on 25.11.2014, on request of about 200 citizens of the Free Territory of Trieste who suffered damages in those terms, the Free Trieste Movement opened, before the competent international authorities, a procedure of complaint against the Italian Government and the Republic of Italy, requesting an equal reparation for the damages each appellant had to suffer;

with Italian Law No. 226 of 23 August 2004 and with successive Legislative Decree No. 66 of 15 March 2010, military conscription results to be suspended, not abolished, and it can be introduced once again in the event of a war or an international crisis.

therefore, the citizens of the Free Territory of Trieste keep being illegitimately conscripted for military service in the Armed Forces of Italy, when they turn 17 they are inserted into conscription lists and, even after being discharged, they remain subject to the procedures and punishments of the *Codici penali militari italiani di pace e di guerra* - Italian Code of Military Criminal Law in Peace and War;

this way, Italian authorities can also unfairly prosecute and punish the citizens of the Free Territory of Trieste who resist the abuses of the State and of the Government of Italy or those who question those claiming respect for their rights or due to their personal pacifist and antimilitarist beliefs as if they were Italian soldiers guilty of treason, of refused orders or deserting the army;

the continuation of this situation of factual illegality does therefore constitute a condition of relevant danger and unfair damage for the citizens of the Free Territory of Trieste who are in the age group subject to conscription or called up

for military service in the Armed Forces of the State of Italy, which means those who are from 18 to 65 years old;

also, the citizens of the Free Territory of Trieste - both men and women - who, after the suspension of military conscription, do actually will to serve as volunteers in the Armed Forces of Italy are not informed of their different legal status, nor of their consequent rights;

demands

to this Commissar of the Italian Government to declare null and void, therefore to abrogate for violation of the law, within 30 days for further verifications:

1. Decree of the Commissar of Government No. 191/1957 (Official Bulletin of the Commissariat of the Italian Government for the Territory of Trieste No. 36 of 24.12.1957) about "*DISPOSIZIONI TRANSITORIE SUL RECLUTAMENTO NELL'ESERCITO, NEL TERRITORIO DI TRIESTE*" - "TRANSITIONAL MEASURES ON RECRUITMENT INTO THE ARMY, IN THE TERRITORY OF TRIESTE";

2. Decree of the Commissar of Government No73/1958 (Official Bulletin of the Commissariat of the Italian Government for the Territory of Trieste No. 29 of 11.10.1958) about "*DISPOSIZIONI TRANSITORIE SULLA FORMAZIONE DELLE LISTE DI LEVA NEL TERRITORIO DI TRIESTE*" - "TRANSITIONAL MEASURES ABOUT THE PREPARATION OF CONSCRIPTION LISTS IN THE TERRITORY OF TRIESTE";

3. all other related or consequent commissarial acts.

The Free Trieste Movement does also inform this Commissar of Government that this request and its outcomes will be immediately notified to the international organizations, where is taking place the preliminary phase of the above mentioned complaint, as further integrations, whether culpatory or disculpatory, of the liabilities of Italian authorities in the Free Territory of Trieste.

Trieste, 31 July 2015.

The President of the Free Trieste Movement
Roberto Giurastante

