
LETTERS DATED 2 AUGUST AND 19 APRIL 1948 FROM THE REPRESENTATIVE OF YUGOSLAVIA
TO THE SECRETARY-GENERAL TRANSMITTING THE TEXT OF A NOTE PRESENTED TO THE
BRITISH EMBASSY IN BELGRADE BY THE MINISTRY OF FOREIGN AFFAIRS OF THE
FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA REGARDING THE
ADMINISTRATION OF THE FREE TERRITORY OF TRIESTE
DATED 12 APRIL 1948

August 2, 1948

Sir,

On the 19th of April, in letter No. 2160, addressed to his Excellency Mr. Trygve Lie, I enclosed the note of the Yugoslav Ministry of Foreign Affairs of April 12, 1948 regarding the administration of the Free Territory of Trieste, which was presented to the British Embassy in Beograd.

In this letter, I requested on behalf of my Government, that the note be circulated among the members of the Security Council. I am advised, however, that this note was not issued as a document of the Security Council.

Considering it important that this note be issued as a Security Council document, I beg to request, Sir, that you give the necessary instructions for the editing of the above-mentioned note, if possible, before the Trieste question is discussed in the Security Council.

Permit me, Sir, to assure you of my high consideration.

Respectfully yours,

Joza Vilfan

Permanent Representative of the F.P.R.
of Yugoslavia to the United Nations.

/April 19, 1948

April 19, 1948

Sir,

I am instructed by my Government to bring to your attention the note regarding the administration of the Free Territory of Trieste which was presented to the Embassy of Great Britain in Beograd on April 12, 1948, by the Ministry of Foreign Affairs of the Federal People's Republic of Yugoslavia. A copy of this note was also sent to the United States Embassy in Beograd.

I would like to draw your attention to the fact that due to the translation, there may be slight differences in wording, as compared with the note submitted in Beograd.

On behalf of my Government, I beg to request that you circulate this note among the members of the Security Council.

Permit me, Sir, to express my highest consideration.

Respectfully yours,

Joza Vilfan

Permanent representative of the F.P.R.
of Yugoslavia to the United Nations

/THE FOLLOWING

THE FOLLOWING IS THE TEXT OF THE NOTE PRESENTED TO THE BRITISH EMBASSY IN
BEOGRAD BY THE MINISTRY OF FOREIGN AFFAIRS OF THE FEDERAL PEOPLE'S
REPUBLIC OF YUGOSLAVIA REGARDING THE ADMINISTRATION OF THE FREE
TERRITORY OF TRIESTE DATED APRIL 12, 1948

No. 49735

With reference to the answer of the British Government as contained in the Foreign Office note No. R. 552/44/70 of January 14, 1948, the Ministry of Foreign Affairs has the honour to state the following:

The Government of the Federal People's Republic of Yugoslavia, after careful study of the above note, considers the answer of the British Government to the notes of the Ministry of Foreign Affairs of the Federal People's Republic of Yugoslavia - No. 421817 of November 4, 1947 and P. 1733 of November 7, 1947, entirely unsatisfactory.

Firstly, because the British Government gives no reply at all to the Yugoslav note with regard to the concrete examples of violation of the Italian Peace Treaty by the Allied Military Government for the Anglo-American Zone of the Free Territory of Trst.

Secondly, because the objections of the Government of the Federal People's Republic of Yugoslavia, based on concrete facts, as to the proceedings of the American-British military authorities in the Free Territory of Trst, are answered with unfounded charges against the Military Government of the Yugoslav Zone of the Free Territory of Trst, viz., against the Government of the Federal People's Republic of Yugoslavia. Furthermore, the charges have, in most cases, no connection at all with the facts presented in the notes of the Yugoslav Government.

The Government of the Federal People's Republic of Yugoslavia therefore rejects the groundless accusations put forth by the British Government in said note; further, it wishes to draw attention to the situation the American-British Military Government has created in Trst by its proceedings and, once again point out the facts which show the obvious violation of the Italian Peace Treaty by the American-British Military Government in the Free Territory of Trst, by the British Government and by the Government of the United States.

TO THE BRITISH EMBASSY

BEOGRAD

I

1. The British Government objects in its note that "fundamental changes have been made in the political, economic and social institutions" in the Yugoslav Zone of the Free Territory of Trst, that the Yugoslav Military Government has not observed "the existing laws and regulations" which is all, in the view of the British Government "entirely contrary to the relevant provisions of the Hague Convention." The British note mentions, as concrete examples of such changes, the orders for confiscation and redistribution of land, the order concerning administration of goods of social insurance institutions, the decree on economic cooperatives and the decree on the competence of the People's Courts.

Of course the Government of the Federal People's Republic of Yugoslavia does not deny that there are fundamental changes in the political, economic and social institutions in the Yugoslav Zone of the Free Territory of Trst compared with the period of fascist Italy, but it would really be difficult to understand that, after the victory of the democratic forces over a fascist State, no fundamental changes had occurred in the institutions representing the basis of that State. In fact, such changes occurred in all those fascist countries where an effective democratization took place. For the Julian March, it is characteristic in this regard, that its people - Croats, Slovenes and Italians - already during the war, in the period from 1942 to 1945, destroyed, through their common effort and struggle against fascism on the side of the Allies, the old fascist regime, its institutions and its laws - created and fully established, in the course of fighting, their people's authority.

Fifty-nine people's liberation committees already existed in 1944 in the territory of the present Yugoslav Zone of the Free Territory of Trst, which acted as organs of the people's authority, with precisely defined organization and responsibilities, under the single leadership of the Provincial People's Liberation Committee for the Slovene Littoral and of the Regional National Liberation Committee for Istra, for the Slovene Littoral and Istra respectively. By the decision of this supreme organ of authority in that territory, elections were ordered on September 22, 1944 for the local, district and regional people's liberation committees on the basis of a general, direct right to vote by secret ballot (Articles 3, 9, 12 of the above-mentioned decisions). Because of these provisions, elections were held in the Autumn of 1944, on which occasion the British Major Arthur Tucker, a member of the British-American Military Mission declared: "Now you are already holding free elections. You already prepare yourselves for a free life peace will bring along. You have carried out the elections /in an admirable

in an admirable faith and organization, though so close to the enemy and under such difficult conditions." It is well-known that this new people's authority, which was being created in the ruins of the old fascist occupying authority, contributed very much to the successful fight against the nazi and fascist invaders and, to a great extent, to the final liberation of the Julian March and of Trst.

Accordingly, it is quite correct that in the whole territory of the Julian March as well as in the present Zone of the Free Territory under Yugoslav Military Government, fundamental changes in the political, economic and social institutions had been made while the war was still in progress, changes which had been effected by the people themselves. Thus, the Yugoslav Military Government found these changes already in existence.

However, the Government of the Federal People's Republic of Yugoslavia considers the charges of the British Government in regard to these changes quite unfounded. In fact, what attitude could the Yugoslav Military Government have taken towards the people's authority as found in this territory? According to the view of the British Government, as expressed in the above-mentioned note regarding its interpretation of the Hague Conventions, the Yugoslav Military Government should have been bound to abolish all the effected changes, viz., first, to dissolve the newly created people's authority and to re-establish the old fascist civil administration and fascist laws. The Government of the Federal People's Republic of Yugoslavia and the Yugoslav Military Government certainly could not have taken such an attitude because it would have been contrary to the interests of the peoples of the Julian March; and would, at the same time have been contrary to the aims of the fight of the Allies on whose side and for whose aims the people of the Julian March had fought, making numerous sacrifices. It would have been contrary to the principles proclaimed in the Atlantic Charter, in the declarations of Teheran and Yalta and contrary even to the very provisions of the Hague Convention to which the British Government makes reference, and which requires respect for civil institutions, laws and regulations which the occupying power found in the area. For that reason, the Government of the Federal People's Republic of Yugoslavia, viz. the Yugoslav Military Government realized the international legal principles and obligations involved. It recognized the people's authority and its institutions as found there, leaving within the competence of this authority, the administration of almost all civil affairs and reserving for itself only the supervision and direction of foreign affairs.

/The Yugoslav

The Yugoslav Military Government, recognizing the people's authority, concurred also with the actions, orders and regulations of that authority, e.g., the Land Reform which the people of the Julian March and their authority carried out during the course of the war and sanctioned later by formal decisions. By these decisions the medieval land relations - the colonate - were ended; the land was given to those who cultivate it. What other attitude could the Yugoslav Military Government have taken when confronted with these changes? According to the view of the British Government and to its interpretation of the Hague Convention, the Yugoslav Military Government should have been bound to abolish the will of the people and the situation as found, and retribute the land to the escaped fascists and collaborators. It is quite natural that the Yugoslav Military Government could not take such an attitude. As it had recognized the people's authority, it also agreed with the democratic reforms this authority had effectuated. For the same reasons the Yugoslav administration also agreed to the other democratic changes carried out by the people already during the war, and which were later sanctioned by the people's authority.

It appears from the above, that the Yugoslav Military Government in the Yugoslav Zone of the Free Territory of Trst strictly adhered to, and acted in accordance with the international principles created and enacted during the fight against the fascist aggressors as well as on the basis of the provisions of the Hague Convention. As a matter of fact the interpretation of the Hague Conventions by the British Government, as set forth in the above-mentioned note, is quite untenable for the simple reason that the consequence of such an interpretation would be that the occupying power had to respect all civil institutions, laws and regulations found in the area even if fascist ones and even had to restore them where they had already been abolished during the war. It is obvious, however, that the Hague Conventions were not intended to protect such institutions, laws and regulations for the simple reason that fascism did not exist at the time of the Hague Conventions and quite new international provisions exist now on the matter, completing solely in this regard, the Hague Conventions, i.e., the principles proclaimed in the Atlantic Charter and the Teheran and Crimean Declarations.

2. The British Government accuses the Yugoslav Military Government of having allegedly, suppressed totally popular opinion and political rights of the population; of not having permitted a single meeting of parties opposed to communism, and of having restricted the freedom of press. Thereby the British Government refers to the statement of some "Istrian Committee" and to the fact that the Yugoslav Military Government prohibited in the Yugoslav Zone the Trst newspapers "La Voce Libera" and "Giornale di Trieste."

/The Government

The Government of the Federal People's Republic of Yugoslavia is at a loss to understand why the British Government must use, in its charges, statements of the said anonymous Committee, trying by calumnies to stir up national hatred between Slovenes and Croats on one side and Italians on the other. The members of this Committee hide their names before the public, obviously because of their fascist past. It remains however an undeniable fact, that all political parties, registered with the competent authorities, are permitted in the Yugoslav Zone of the Free Territory of Trst. There are now in existence four parties in that Zone which without hindrance, carry out their activities; holding public meetings and gatherings. All three nationalities are on an entirely equal footing which is reflected especially in the composition of the organs of the people's authority. In the towns with Italian majority like Piran, Izola, Kopar, the majority of the members on the people's committees are Italians. For instance, 10 out of 11 members of the Executive People's Committee in Kopar are Italians. Today three newspapers are published in the Zone itself, viz. one Croat and two Italian of which "La Voce di San Giorgio" is of a religious character. All publications from Trst, Yugoslavia and Italy are freely imported into the Zone.

The Government of the Federal People's Republic of Yugoslavia cannot agree with the British Government that the prohibition of the Trst newspapers "La Voce Libera" and "Giornale di Trieste", which grossly attacked the honour of the Yugoslav Army and stirred up national hatred, would signify a "total suppression of popular opinion", as interpreted in the note of the British Government. In addition, the Government of the Federal People's Republic of Yugoslavia wishes to remind the British Government of Proclamation No. 2 of September 15, 1947, of the Allied Military Government for the Anglo-American Zone of the Free Territory of Trst prescribing in its Article 3, Paragraph 1, imprisonment and fine for those who publish or have in their possession printed or written matter detrimental or disrespectful to the American-British forces, the Allied Military Government or any member thereof. However, as the Yugoslav Military Government is not in a position to undertake such measures against newspapers published in Trst, it is clear that it can only make use of the prohibition of import. All the same, the Government of the Federal People's Republic of Yugoslavia is far from accusing the British Government and the Government of the United States of a "total suppression of popular opinion" solely because of the above-mentioned order of the Anglo-American Military Government.

3. Finally, the British Government imputes in its note that the Government of the Federal People's Republic of Yugoslavia entertained

/aggressive

aggressive intentions against the Free Territory of Trst, using much space to tell about the misunderstanding around the movement of Yugoslav troops on the coming into force of the Italian Peace Treaty. It is a fact, indeed, that the Yugoslav detachment which was, after all, already in the Anglo-American Zone, "requested to march through Trieste towards Kopar in the night of the entry in force of the Peace Treaty" in order to take up its new positions, in agreement with the Allied Military Authorities, by using the best and shortest way. The fact that General Lekic informed the Allied Authorities of his decision to take up, in due time, viz., at the moment of the entry in force of the Peace Treaty, the positions on the new frontier line at that time in the Anglo-American Zone, four hours before the movement of the troops, as well as the fact that on that occasion an obvious misunderstanding occurred as to the stationing of the Yugoslav detachment (this misunderstanding was cleared up within four hours without incident) might not have served as a cause for any anxiety whatsoever on the part of the American-British Military Government. Even less could they have served as a ground for the charges, contained in the note of the British Government, on some aggressive intentions of the Government of the Federal People's Republic of Yugoslavia to "extend the conditions at present existing in the Yugoslav Zone by improperly attempting to introduce their troops into the Anglo-American Zone on the entry in force of the Treaty in defiance of Article 1 of Annex VII". To draw out of the above facts such far-reaching charges and conclusions as that the Government of the Federal People's Republic of Yugoslavia had had nothing less than the intention of jeopardizing the attainment of the "final integrity and independence of the Free Territory", could in no other way be interpreted but as a desire on the part of the British Government to conceal its own aims and intentions regarding the Free Territory of Trst, i.e., its policy of prolonging the presence of American-British troops on the Free Territory of Trst alleging this to be necessary for the protection of the Free Territory of Trst from Yugoslav aggression; this policy of the British Government found expression and got confirmation also in the systematic frustration in the Security Council about the appointment of a Governor for the Free Territory of Trst as well as in the report of the Commander of the American-British Military Government in the Free Territory of Trst.

II

While the Yugoslav Military Government has, in its Zone, strictly observed international obligations, the Government of the Federal People's Republic of Yugoslavia must note that such obligations are not respected by the Allied Military Government for the Anglo-American Zone in the Free Territory of Trst and that a political and national discrimination is carried out in this Zone.

1. The American-British Military Government, too, has in its capacity of occupation power in Zone A of the Julian March, found, in the area, a democratic people's authority in the form of elected people's committees. The existence of such a people's authority has never been disputed by anybody, not even by the Governments of the United Kingdom and the United States of America when the Beograd Agreement was concluded. This authority which was formed on that territory already during the war, in the struggle against fascism, and which should have been respected by the American-British Military Government in accordance with international obligations derived from Article 3 of the Atlantic Charter, Paragraph 5 of the Yalta Declaration, Article 3 of the Beograd Agreement and Article 43 of the Hague Convention - was gradually suspended by the American-British Military Government through a police terror, until it was finally dissolved by the well-known General Decree No. 11 of August 11, 1945. The Government of the Federal People's Republic of Yugoslavia must recall to the British Government, its notes No. 1938 dated July 17, 1945, No. 3252 of March 27, 1946 and No. 5898 of June 22, 1946 in which it lodged protest with the British Government because of the forcible dissolution of the people's authority in Zone A of the Julian March. On this occasion the highest organ of the people's authority in Zone A of the Julian March, the Provincial National Liberation Committee for the Slovene Littoral and Trst, the representative of the absolute majority of the people of the Julian March, submitted a Note of Protestation dated August 17, 1945 to the British Government, in which it was pointed out that the American-British Military Government had, by that Decree, contravened the Hague Convention. The Consiglio di Liberazione di Trieste, the highest elected organ of the people's authority for Trst, presented on the same occasion, a Letter of Protestation dated August 6, 1945 to the American-British Military Government in which it underlined that the above-mentioned Decree constituted a contravention of international obligations deriving from both the Atlantic Charter and the Yalta Declaration.

On the basis of General Decree No. 11 of August 11, 1945, the American-British Military Government appointed, in place of the elected
/people's

people's authority which it dissolved, the so-called Zone Council and Municipal Council and placed into these councils, representatives of those political parties which represent only a minority of the population of Trst, i.e., mostly employees who had, during the fascist reign, settled down from Italy and immigrants who arrived after June 10, 1940 and who accordingly have not even a right to the citizenship of Trst. Such a composition of these councils has remained even after the coming into force of the Italian Peace Treaty.

Fully eliminated from participation in the administration, have been representatives of the Slovene-Italian Anti-fascist Union, embracing democratically-minded Italians and Slovenians and representing with its over 110,000 registered members (an absolute majority) and by far, the strongest party in the Free Territory of Trst. Excluded also is the Fronte Indipendista, one of the major political groups. There is not a single representative of the Slovenian people in the administration of the Free Territory of Trst.

2. The discriminatory and anti-democratic policy of the American-British Military Government of Zone A towards the democratic political parties, the democratic press, the trade unions, cultural and sports organizations, economic institutions and in general towards the enormous majority of the population of the Free Territory of Trst, is reflected in the whole of public life.

The American-British Military Government has by all possible means impeded the freedom of gathering and association. Thus, the American-British Military Government refused permission to the Organization of Women of Trst to hold manifestations for peace on November 10, 1947, the day celebrated in all democratic countries as Peace Day. Further, it denied the Organization of United Trade Unions, permission for a public gathering on Garibaldi Square on January 25, 1948 although the gathering was convoked to settle economic trade union issues. It also rejected the Youth manifestation "For Peace and a Better Future," on December 14, 1947 when the constituent Congress of the Anti-Fascist Youth of the Free Territory of Trst was held. Further, last March, it prohibited a whole series of public gatherings of the Slovene-Italian Anti-fascist Union, e.g., in Rojan, on Garibaldi Square, at St. Just, in the Public Garden, etc.

Consequent in its attitude towards democratic organizations, the American-British Military Government refused permission for the constitution of the Associazione Mutilati e Invalidi nella Lotta di Liberazione del Territorio di Trieste. It also refused permission to the Red Cross of Trst to continue its work after this institution had in

/the post-war

the post-war years contributed considerably to the alleviation of the suffering of the population which had been seriously affected by the war.

3. Such a direct denial of democratic rights is only one way of hindering the freedom of association and speech. More often the American-British Military Government has had recourse to employ other indirect means to achieve the same goal. Thus, for instance, the American-British Military Government of Zone A has had itself and through the Municipal Council appointed by it, full disposition of all performance halls in Trst. So it has regularly refused requests of democratic Italian and Slovenian organizations to use such halls. Following the same aim it made under various excuses, requisitions of many premises fit for social performance which belonged to democratic and anti-fascist organizations; it refused to allocate the necessary number of physical training halls and recreation grounds to the greatest sports organization in Trst, the Unione Circoli Educazione Fisica, having over 23,000 members.

4. In accordance with the existing provisions, meetings of associations which are attended by members only, and held on the association's own premises, may take place without any notification in advance. Nevertheless, the meetings of democratic anti-fascist organizations are exposed to an unheard-of terror by the civil police, an organ of the American-British Military Government of Zone A. Police with pointed machine-guns break into premises, ask for personal papers of the attendants, permission for the meeting - which, of course, as unnecessary, does not exist - terrorize the meeting and almost always arrest the attendants. Such cases occurred in Zgonik, Trebce, Nabrezina, Dolina, Ricmanje, etc. At Ricmanje on March 15, 1948, a police detachment terrorized the whole village, and even brought a tank to frighten the people who protested against the illegal and undemocratic proceeding.

5. The American-British Military Government grants freedom of the press to those papers which express the opinion of only a small part of the Trst population, while it accords no freedom to newspapers expressing the opinion of the majority of the population in the Free Territory of Trst, which condemns the policy of the American-British Military Government of Zone A, a policy directed against the independence of the Free Territory of Trst, and aimed at transforming the Free Territory of Trst into a permanent American-British Military base. The democratic Italian and Slovenian papers are constantly exposed to punishment by the courts of the American-British Military Government of Zone A. For the freedom of press accorded by the American-British Military Government of Zone A characteristic is the case of the Principal director of the paper

/"Il Lavoratore"

"Il Lavoratore", Leopold Gasparini, last February when this paper published a criticism of the trial of the anti-fascists before the American-British Military Court, the Court promptly issued an order to arrest the editor responsible. As by chance the editor responsible was not on the premises they arrested and took to Court the Principal director who was not allowed the right to say a single word in his defence, was fined 50,000 Lira within 48 hours or imprisonment for 14 days. Quite apart from the fact that the mere existence of military courts for trying civilians three years after the end of the war and after the coming into force of the Italian Peace Treaty, is illegal - the unheard-of attitude of the Military Court itself had embittered the public opinion in Trst so much so that the Court found itself compelled to cancel its decision two days later. On the other hand, "La Voce Libera", "Giornale di Trieste", "Vita Nuova" and similar newspapers with overt fascist tendencies are permitted to freely stir up national hatred between Yugoslavs and Italians and to incite war.

6. The American-British Military Government of Zone A is directly responsible for the permanent terroristic attacks of the fascists upon the democratic population of Trst. The United Trade Unions of the Free Territory of Trst proclaimed a general strike on December 9, 1947 as a protest against the tolerant allied policy towards the fascists, requesting that fascist organizations be dissolved. The British Government is probably aware of the attempts made upon the cultural circles Redivo, Cermel, Vojka Smuc, Raubar, St. Luigi, Tomazic, on the premises of the Town Committee of SIAU, of the machine-gun killing of the seven-year-old girl Milka Vrabec (Emilia Passerini) of the killing by pistol of the worker Karlo Castagna, of the throwing of hand-grenades on the Anti-fascists of Trst, members of the Society of Veterans on December 21, 1947, etc.

All these and similar terroristic attacks were carried out although the American-British Military Government of Zone A disposes of a police force which is, in relation to the number of the population, certainly the most numerous in the world. The civil police took a completely passive attitude in all the above-mentioned attempts and in many cases it even protected the fascists. Over 50% of the police force has been recruited from pre-war fascist policemen. It was only the great bitterness of the Trst people that forced the American-British Military Government of Zone A to close the fascist circle Oberdan in which fascist bomb-throwers had been gathered.

7. In order to discredit the anti-fascist movement, which enjoys great respect both in the Free Territory of Trst and Italy, and to discredit the people's authority existing in the Yugoslav Zone and in Yugoslavia, the

/American-British

American-British Military Government of Zone A arranged a whole series of trials against anti-fascist fighters charging them with acts which they had performed during the war, or directly after it, as organs of the people's authority or as members of the Army fighting on the side of the Allies against fascist criminals. These trials present a most evident violation of international Law and of the existing provisions in the Free Territory of Trst itself. According to general international Law, to the Italian Peace Treaty and also to Decree No. 46, on the pardon, of the American-British Military Government of Zone A, no anti-fascist fighter can be taken responsible and tried for such action. But, for that reason the American-British Military Authorities in the Free Territory of Trst now condemn their actions as criminal acts committed from personal revenge or for personal profit. On July 10, 1947 the Yugoslav Government protested to the British Government by its note Number 411642, because of such an evident violation of international provisions and because of the malevolent persecution of anti-fascist fighters. The Executive Committee of Trade Unions of the Free Territory of Trst, having a membership of over 80,000, presented, last February, a bitter letter of protestation following the constant persecution of anti-fascists by the Courts of the American-British Military Government.

8. A particular discrimination is being carried out by the American-British Military Government with regard to the Slovenian part of the population of the Free Territory of Trst which should, in accordance with the Peace Treaty and the most elementary democratic principles, be insured full equality with the Italian part of the population. The equality as to language, guaranteed by the Permanent Statute of the Free Territory of Trst has not been implemented at all. The American-British Military Government of Zone A impedes the cultural development of the Slovenian population in all possible ways. Many fascist emigrants have been appointed professors and teachers in Slovenian schools. The Slovenian National Theatre, which had been active during Austro-Hungarian rule and in one period before the fascist Italian regime, is now unable to get a single theatre hall in spite of the abundance of theatre halls at the disposal of the American-British Military Government of Zone A. The management of the radio station systematically impedes Slovenian broadcasting. Suppressed were broadcasts for the Youth; for children; for learning the Slovenian language; members of the Slovenian National Theatre are prevented from appearing on the Trst Radio.

The American-British Military Government of Zone A refused to cancel the decisions of the fascist regime on the forcible change of Slav family

/names

names into Italian ones and to recognize the right of each citizen to his original name.

In view of all the above-exposed facts, it is not clear to the Government of the Federal People's Republic of Yugoslavia what the British Government is referring to when it emphasizes in point 5 of its note "the principle that all persons under their administration are entitled to the enjoyment of their existing legal, political and social institutions" and in point 8 that "the administration of the Anglo-American Zone.....permitted the inhabitants of the Free Territory their full right of association, of free speech, of religion and of press."

9. By its discriminatory policy with regard to the democratic forces representing the enormous majority of the population of Trst, the American-British Military Government of Zone A succeeded first of all in encouraging fascist remnants to carry out freely terroristic and revisionistic activity; thus it tried to create an impression in international public opinion that Trst was a centre of trouble and disorder so as to justify the necessity of the further presence of American-British troops on that territory.

A characteristic instance of inciting fascist elements in the American-British Zone is the case of the Partito Repubblicano d'Azione della Venezia Giulia and the view of the American-British Military Government of Zone A and of the British Government on that question. In its note P. 1737 of November 7, 1947, the Government of the Federal People's Republic of Yugoslavia pointed out the activity of that party, harmful to the existence of the Territory itself and aiming against peace and the security of the Yugoslav Zone of the Free Territory and of the Federal People's Republic of Yugoslavia. It underlined the fact that the official newspaper of that party published a report of the responsible functionary of the party, stating that suitable men have been sent illegally to Istra for action. The following was the reply of the British Government to that note: "His Majesty's Government considers that there are no grounds for the undemocratic suppression of a popular party as requested by the Yugoslav Government". The Government of the Federal People's Republic of Yugoslavia persists that its claim for the suppression of this party is alone in accordance with democratic principles and that the contrary view follows the aim of encouraging fascist elements to provoke trouble and disorder between the Yugoslav and the Italian peoples.

10. On the other hand, the American-British Military Government of Zone A had undertaken everything to make Trst economically as dependent upon foreign countries, actually on the United States of America as possible. The main Trst industries have stopped. The American-British Military

/Government

Government of Zone A has done nothing to make these industries continue their work although it is well known that Trst can economically prosper solely if its industry is working to full capacity. The consequence thereof, is the great unemployment of the Trst population. The effect of such a policy and the danger threatening therefrom to the Free Territory of Trst is particularly reflected in its present financial position. According to a report on the administration of the American-British Zone of the Free Territory of Trst, recently submitted by the Commander of the American-British Forces to the Security Council, it was stated that the deficit of that Zone for six months amounted to 15 billion Lira, i.e., to 30 billion Lira a year, which makes almost 50 million dollars. Such a deficit represents a daily charge of about 280 Lira per head or 8,400 Lira a month, which covers the average monthly expenses for food of one person.

In this connection, it is necessary to point out that the Inter-Allied Financial Investigation Commission, sent to the spot, in January of 1947 to study the finances of the Free Territory of Trst, came, after a careful collection of particulars and profound study, to the unanimous conclusion that the Free Territory of Trst could in a financial, and in general economic respect be quite balanced.

The enormous deficit envisaged in the report of the Commander of the American-British Forces in the Free Territory of Trst is obviously a consequence of the economic policy of the American-British Military Government of Zone A which, in spite of the availability of great orders from abroad has deliberately hindered the employment of the Trst industry, the key of the whole economy of Trst, which impedes the economic independence of the Free Territory of Trst. Such a policy on one hand brings the Free Territory of Trst into full economic dependence on the United States of America which is, after all, confirmed by the help of 20 million dollars accorded by the United States of America, and on the other hand, it wants to create the impression that the Free Territory of Trst is incapable of living independently.

These facts prove far better than the alleged danger to the Free Territory of Trst from Yugoslavia, as artificially constructed in the British note, that the economic policy of the American-British Military Government of Zone A and of the Governments of the United Kingdom and of the United States of America is "calculated to jeopardize the attainment of independence and integrity" of the Free Territory of Trst.

III

The Government of the Federal People's Republic of Yugoslavia is of the opinion that the violation of the Peace Treaty cannot be justified with some "particular motives" by which the Allied Military Government for the Anglo-American Zone of the Free Territory of Trst has been guided in the carrying out of its duties, as explained in the note of the British Government. The Peace Treaty constitutes an international obligation to be fulfilled conscientiously and it cannot be altered by simply referring to "particular motives".

1. By its proceedings, the American-British Military Government violated - as pointed out in concrete examples in the note of the Government of the Federal People's Republic of Yugoslavia No. 421817 - the fundamental principles of the Permanent Statute and Instrument on the provisional regime and the principle of independence of the Free Territory of Trst, the principle excluding every economic union or association of an exclusive character, as well as the principle at least of an equal treatment of the Federal People's Republic of Yugoslavia and Italy relating to the Free Territory of Trst. These fundamental principles have been effective since the very entry in force of the Peace Treaty so that their implementation and observation do not depend either upon the appointment of a Governor or upon the establishment of the legislative machinery as the British Government wanted to present the position in point 3 of its note.

2. The British Government not only failed to reply to all these concrete examples of violation of the Peace Treaty, in its note, but the Military Government has continued to violate the Italian Peace Treaty to the detriment of the territory of the Free Territory of Trst, of the Federal People's Republic of Yugoslavia and to the detriment of good relations between the American-British Military Government and Italy in bare violation of Article 24, Paragraph 4 of Annex VI of the Italian Peace Treaty. This agreement constitutes a mere postal union with Italy. In virtue of this agreement Trst is no more considered, as to tariffs, an independent transit territory.

The currency, financial and monetary agreements signed on March 9, 1948 between the American-British Zone of the Free Territory of Trst and Italy, present an even more evident violation of the same article, and at the same time of the independence of the Free Territory of Trst. By this agreement, equal rights have been denied to Yugoslavia with regard to the Free Territory of Trst, with the obvious intention to provoke, by an apparent favouring of Italy, mutual mistrust between Yugoslavia and Italy, thus hindering a settlement by agreement of problems in which both countries are interested.

/3. The relations

3. The relations of the American-British Military Government to the Yugoslav Zone of the Free Territory of Trst also presents a violation of the Peace Treaty. The Government of the Federal People's Republic of Yugoslavia considers that the statement of the British Government in point 17 of its note that "it is prepared to take all suitable steps to forward honest cooperation between the administration of the two zones of the Free Territory" does not correspond to the real state of affairs. All the efforts of the Yugoslav Military Government to settle the relations between the Yugoslav and the American-British Zone on the basis of a unity of territory were frustrated in consequence by the attitude of the American-British Military Government, considering that there were two different territories in question and in doing so the American-British Military Government has gone so far as to identify the Yugoslav Zone with a foreign state. The Free Territory of Trst was created by the Peace Treaty and illegal is the action of the American-British Military Government, persistently hindering the free traffic of persons and goods between the two zones. Illegal is also the attitude of the American-British Military Government in refusing the principle of unlimited employment to the population of the Free Territory of Trst in either of the zones. The Yugoslav Military Government has really, on its part, done everything in its power to come to a regular and closer co-operation in all respects between the two zones and moved, in a joint meeting, a whole series of important questions, all of which remained unsettled because of the negative attitude of the American-British Military Government.

4. Finally the British Government and the Government of the United States of America recently committed new violations of the Peace Treaty by sending American and British cruisers into the port of Trst, from time to time, thus increasing the number of troops allowed to the United States of America and to the United Kingdom by virtue of Article 5 of Annex VII. So they arbitrarily augmented the armed forces on the territory of the Free Territory of Trst infringing upon the provisions of the Permanent and Provisional Statute of the Free Territory of Trst.

Considering the above-mentioned facts relative to a discriminatory policy of the American-British Military Government towards the enormous majority of the population of the Free Territory of Trst; to the economic policy of the American-British Military Government of Zone A destroying the independence of the Free Territory; to the discriminatory policy of the American-British Military Government of Zone A towards the Federal People's Republic of Yugoslavia;

considering the well-known attitude of the Governments of the United Kingdom and the United States, making the appointment of a Governor of the Free Territory of Trst impossible;

/considering the

considering the report of the Allied Commander of the American-British Zone to the Security Council in which the political relations in that zone, the disposition of the Trst population and the economic relations of the Free Territory of Trst with foreign countries, were falsely displayed,

the Government of the Federal People's Republic of Yugoslavia cannot but conclude that the policy of the Allied Military Government viz. of the Governments of the United Kingdom and the United States of America, is directed towards causing political and economic insecurity in the Free Territory of Trst, which could justify the prolongation of the American-British Military occupation of this territory, and towards the creating of discord between the peoples of Yugoslavia and Italy.

The Government of the Federal People's Republic of Yugoslavia protests most emphatically against the policy of the American-British Military Government with regard to the Free Territory of Trst which is not only detrimental to the Free Territory of Trst and good relations between Italy and Yugoslavia, but at the same time constitutes a direct violation of the Italian Peace Treaty and of general international obligations.

The Government of the Federal People's Republic of Yugoslavia trusts that the British Government will take into consideration the above-exposed facts and that it will undertake measures to cause the Allied Military Government for the Anglo-American Zone of the Free Territory of Trst to change its policy so that it be based on the observance of international obligations.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the British Embassy the assurance of its high consideration.

Beograd, April 12, 1948

[Redacted signature area]