The denuclearization of the International Gulf of Trieste, based on the Nuclear Weapons Prohibition Treaty, and the 1947 Peace Treaty with Italy.

Working paper submitted by Disarmisti Esigenti

1. On June 20 2017 in New York, the NGOs WILPF Italia and Disarmisti Esigenti filed the Working Paper A/CONF.229/2017/NGO/WP.44, entitled FROM TRIESTE (ITALY) THE PROPOSAL OF CASE STUDIES ON PORTS TO BE DENUCLEARIZED to the proceedings of the founding Conference for the Nuclear Weapons Prohibition Treaty (TPNW) otherwise called “Nuclear Ban Treaty”; proposal written by the Italian pacifist Alessandro Capuzzo and signed by the former mayor of Koper / Capodistria (Slovenia) Aurelio Juri, and whose text is the following.

2. The Nuclear Weapons Ban Treaty, which most UN member countries have set up under pressure from the International Campaign to Abolish Nuclear Weapons (ICAN) of which we feel part, can change the balance of power between nuclear states and not, thanks to the introduction of substantial transparency for the benefit of civil society and the whole of Humanity.

3. As citizens of the territory that the 1947 Treaty of Peace with Italy defined as demilitarized and neutral, we are particularly happy and involved. Currently, Italy and Slovenia share the Gulf of Trieste with Croatia; they are part of the Atlantic Alliance and they have expressed themselves against this Treaty, as they are involved in the Alliance's military nuclear programs.

4. The Gulf of Trieste hosts, in contrast to the Peace Treaty, two military nuclear transit ports, Trieste in Italy and Koper / Capodistria in Slovenia. And the very presence of the two urban centers makes it impossible to seriously prevent accidents, with respect to the nuclear propulsion of ships, the presence on board of weapons of mass destruction, and the possibility of becoming a nuclear target.

5. Moreover, the secret imposed "for security reasons" on news necessary for one punctual information, prevents the assessment of the risk in relation to the existing dangers; it forces the institutions to omit important parts of information and consequently hides the dangers of situations to the population.
6. We, therefore, propose to the Conference for a Treaty banning nuclear weapons, the launch of case studies on risk, and the lack of transparency in the matter, to be entrusted to the Nuclear Prevention School of the Atomic Agency (IAEA), at the International Center for Theoretical Physics of Miramare in Trieste.

7. Interesting case studies for the twelve Italian military nuclear ports (besides Trieste, Venice, Brindisi, Taranto, Augusta, Castellamare di Stabia, Naples, Gaeta, Livorno, La Spezia, La Maddalena and Cagliari) and for the terrestrial nuclear air bases of Aviano and Ghedi.

8. And we call for a resumption of the talks for the denuclearization of the Mediterranean Sea, inspired by the Treaty for the banning of nuclear weapons; which involves our Gulf, as legally bound by the Peace Treaty with Italy after world war 2, to Demilitarization and Neutrality.

9. This is how the 2017 Working Paper concluded the proposal; today, five years after its approval, the Treaty has entered into force, and we are in Vienna reviewing its contents and implementation. We therefore invite you to consider the proposal advanced and its feasibility, made possible by the two Treaties mentioned in the 2017 Working Paper: the Nuclear Ban or TPNW, and the 1947 Peace Treaty with Italy.

10. While the implications of the first are known, few are aware of the provisions from the Peace Treaty, implemented by the United Nations Security Council with Resolution S / RES / 16, which claimed jurisdiction over the Free Territory of Trieste, existed as an independent state from 1947 to 1954, on the southern end of the Iron Curtain.

11. Skills retained, as confirmed by former Secretary General Ban Ki-Moon, in a 2015 letter to Palestinian President Abbas, listing the Territories under direct UN competence.

12. The Statute of the former Free Territory of Trieste contained in the Peace Treaty with Italy is a juridical unicum, comparable to the constitutional choice of Army abolition made by Costa Rica; which involves the coastal strip of the Adriatic Gulf where Italy Slovenia and Croatia join. Disarmament and Neutrality are enshrined in there.

13. These norms of International Law, “forgotten” for political needs by the most involved States, if associated with the TPNW, allow to achieve an effective denuclearization in the Gulf of Trieste. We therefore call the NGOs and the States parties to the TPNW to test together the feasibility of this proposed implementation of the Nuclear Ban.

14. A particular invitation is addressed to the States registered in the Peace Treaty with Italy, for the right they have to use the International Free Port of Trieste: Austria, Czechia, France, Great Britain, Italy, Poland, Slovakia, United States, Switzerland, Hungary, and all the countries emerged from Yugoslavia and Soviet Union.

15. In addition to the mentioned, Australia, Belgium, Belarus, Brazil, Canada, China, Ethiopia, Greece, India, New Zealand, the Netherlands, Ukraine and South Africa, are also involved in the Peace Treaty with Italy.