

No. 3716

ITALY
and
AUSTRIA

Agreement concerning the use of the port of Trieste.
Signed at Rome, on 22 October 1955

**Exchange of notes relating to the entry into force of the
above-mentioned Agreement. Vienna, 21 December
1955**

Official text of the Agreement: French.

Official text of the exchange of notes: German.

Registered by Italy on 18 February 1957.

ITALIE
et
AUTRICHE

**Accord pour l'utilisation du port de Trieste. Signé à
Rome, le 22 octobre 1955**

**Échange de notes relatif à l'entrée en vigueur de l'Accord
susmentionné. Vienne, 21 décembre 1955**

Texte officiel de l'Accord: français.

Texte officiel de l'échange de notes: allemand.

Enregistrés par l'Italie le 18 février 1957.

[TRANSLATION — TRADUCTION]

No. 3716. AGREEMENT¹ BETWEEN ITALY AND AUSTRIA
CONCERNING THE USE OF THE PORT OF TRIESTE,
SIGNED AT ROME, ON 22 OCTOBER 1955

The Government of the Italian Republic and the Federal Austrian Government, being desirous of facilitating and developing Austrian traffic through the port of Trieste, have agreed on the following provisions :

Article 1

The Italian Government and the Austrian Government, mindful of the volume of Austrian traffic through Trieste, agree to establish, within the framework of the Joint Italian-Austrian Trade Commission created pursuant to the Trade Agreement of 19 May 1949, a Joint Paritary Sub-Commission to deal with questions relating to Austrian overseas traffic through Trieste. The Sub-Commission shall meet at the request of either of the contracting Parties.

Article 2

A member of the Sub-Commission appointed by the Federal Austrian Government shall have his permanent headquarters at Trieste and shall represent, in conformity with the instructions of the Austrian central authorities, the Austrian economic interests involved in the traffic passing through that port. He shall co-operate on a permanent basis with the competent Italian authorities, to whom he shall recommend, when necessary, the adoption of measures designed to achieve the aims of the present Agreement.

Article 3

Similarly, and for the same purpose, a member of the Sub-Commission appointed by the Italian Government shall have his permanent headquarters at Vienna

Article 4

The Italian State Railways shall exempt goods passing through Trieste in transit between Austria and overseas from the payment of the surcharges specified in special tariff schedule No. 253 (Goods in transit through Italy).

¹ Came into force on 1 January 1956, date fixed by an exchange of notes, in accordance with article 15.

Article 5

All other questions concerning railway rates for Austrian overseas traffic through the port of Trieste shall be governed by a separate convention, which shall be concluded by the Austrian Federal Railways and the Italian State Railways.

Article 6

As regards goods traffic between the port of Trieste and countries beyond Austria, the Austrian Federal Railways and the Italian State Railways shall jointly decide on the rates to apply on their respective systems with a view to facilitating and promoting such traffic.

Article 7

Subject to any special arrangements concluded within the Joint Sub-Commission established pursuant to Article 1 of this Agreement, transit goods of Austrian origin or bound for Austria shall receive in the port of Trieste, in the matter of taxes, dues and handling operations and in all other connexions, treatment no less favourable than that accorded to similar goods of Italian origin or bound for Italy or to any other such goods regardless of their origin or destination.

In this respect, no distinction shall be made between goods carried in ships flying the Italian flag and goods carried in ships flying the Austrian or any other flag.

Article 8

The Italian Government agrees that the Austrian Government may, subject to special arrangements, use the port of Trieste as the home port of merchant vessels flying the Austrian or any other flag.

Article 9

Subject to the conditions to be stipulated and with due regard to the volume of trade, the Azienda Portuale dei Magazzini Generali shall make available within the precincts of the Free Port of Trieste, if necessary on a continuous basis, suitable covered and open warehouses or parts thereof, of adequate capacity, at a reduced rental. The Azienda Magazzini Generali shall charge reduced rates for all work executed directly by its services.

Article 10

With a view to promoting Austrian traffic through Trieste, the two Governments agree that the question of port dues shall receive sympathetic consideration from the competent Italian authorities.

Article 11

In conformity with international multilateral undertakings, the transit through Trieste of goods passing between Austria and overseas shall be free. Such transit shall take place without discrimination and shall not be subject to any customs duties, taxes or fees other than fees for services rendered.

Article 12

Also in conformity with the aforesaid international undertakings, the two contracting Parties shall provide, for the benefit of the goods traffic passing in transit through their respective territories to or from Trieste, all the facilities necessary to ensure, at reasonable prices, the regular and rapid functioning of all the services. They shall not discriminate against such goods in the matter of customs duties, taxes or fees, in the provision of the various services, or in the application of sanitary, police or other regulations.

Article 13

The two contracting Parties agree that Austrian establishments authorized to engage at Trieste in activities necessary to promote the commercial traffic referred to in the present Agreement shall enjoy the same rights and facilities in fiscal and other matters as are enjoyed by similar Italian establishments. The competent Italian authorities shall give sympathetic consideration to all applications in this regard.

Article 14

The two contracting Parties, believing that it is to their mutual advantage to facilitate and promote the development of traffic through the port of Trieste, agree that they must co-operate on a permanent basis in order to bring about an improvement in the shipping lines calling at Trieste and a reduction in maritime freight rates.

Article 15

The present Agreement shall remain in force for two years from a date to be determined by an exchange of notes ; unless denounced three months before the date of its expiration, it shall be deemed renewed for a further year, and thereafter from year to year, each of the two contracting Parties retaining the right to denounce it by giving notice three months before the expiration of any such annual period.

DONE in duplicate at Rome, in the French language, on 22 October 1955.

For the Federal Austrian
Government :

PLATZER

For the Government
of the Italian Republic :

Luigi NARDI

EXCHANGE OF NOTES RELATING
TO THE ENTRY INTO FORCE
OF THE AGREEMENT OF 22
OCTOBER 1955 BETWEEN ITALY
AND AUSTRIA CONCERNING
THE USE OF THE PORT OF
TRIESTE. VIENNA, 21 DE-
CEMBER 1955

ÉCHANGE DE NOTES RELATIF
À L'ENTRÉE EN VIGUEUR DE
L'ACCORD DU 22 OCTOBRE 1955
ENTRE L'ITALIE ET L'AUTRI-
CHE POUR L'UTILISATION DU
PORT DE TRIESTE. VIENNE,
21 DÉCEMBRE 1955

I

[GERMAN TEXT — TEXTE ALLEMAND]

AMBASCIATA D'ITALIA
VIENNA

6923 B/9 T

VERBALNOTE

Die Italienische Botschaft in Oesterreich beeckt sich im Auftrage ihrer Regierung dem Bundeskanzleramt, Auswärtige Angelegenheiten, folgendes mitzuteilen.

Im Zusammenhang mit der Bestimmung des Art. 15 des *Accord entre l'Italie et l'Autriche pour l'utilisation du port de Trieste* vom 22. Oktober 1955 schlägt die Italienische Botschaft als Zeitpunkt für das Inkrafttreten des Abkommens den 1. Januar 1956 vor.

Die Durchführung der die Eisenbahnen betreffenden Bestimmungen desselben Abkommens wird — wie vereinbart — zwischen beiden Eisenbahnverwaltungen geregelt werden.

Wenn die österreichische Regierung mit Obigem einverstanden ist, so wird diese Note und die Antwortnote des Bundeskanzleramtes, Auswärtige Angelegenheiten, als ein Abkommen zwischen beiden Staaten zu betrachten sein.

Die Italienische Botschaft benützt diesen Anlass, um dem Bundeskanzleramt, Auswärtige Angelegenheiten, den Ausdruck ihrer vorzüglichen Hochachtung zu erneuern.

Wien, den 21. Dezember 1955

An das Bundeskanzleramt
Auswärtige Angelegenheiten
Wien

No. 3716

[TRANSLATION — TRADUCTION]

ITALIAN EMBASSY
VIENNA

6923 B/9 T

NOTE VERBALE

The Italian Embassy in Austria, on behalf of its Government, has the honour to inform the Federal Ministry of Foreign Affairs of the following :

In connexion with article 15 of the Agreement between Italy and Austria concerning the use of the port of Trieste, of 22 October 1955,¹ the Italian Embassy proposes that that Agreement should enter into force on 1 January 1956.

The provisions concerning rail transport shall be carried into effect, as stipulated, by agreement between the two railway administrations.

If the Austrian Government agrees with the foregoing, the present Note and the Note of the Federal Ministry of Foreign Affairs in reply shall be deemed to constitute an agreement between the two States.

The Italian Embassy has the honour, etc.

Vienna, 21 December 1955

To the Federal Ministry
of Foreign Affairs
Vienna

[TRADUCTION — TRANSLATION]

AMBASSADE D'ITALIE
VIENNE

6923 B/9 T

NOTE VERBALE

D'ordre de son Gouvernement, l'Ambassade d'Italie en Autriche a l'honneur de faire connaître à la Chancellerie fédérale, Affaires étrangères, ce qui suit :

Se référant aux dispositions de l'article 15 de l'Accord entre l'Italie et l'Autriche pour l'utilisation du port de Trieste, en date du 22 octobre 1955¹, l'Ambassade d'Italie propose, pour la mise en vigueur de l'Accord, la date du 1^{er} janvier 1956.

L'application des dispositions ferroviaires de l'Accord sera — comme il est convenu — réglée entre les deux administrations des chemins de fer.

Si les dispositions qui précèdent rencontrent l'agrément du Gouvernement autrichien, la présente note et la réponse de la Chancellerie fédérale, Affaires étrangères, seront considérées comme constituant un accord entre les deux États.

L'Ambassade d'Italie saisit, etc.

Vienne, le 21 décembre 1955

Chancellerie fédérale
Affaires étrangères
Vienne

¹ See p. 329 of this volume.¹ Voir p. 328 de ce volume.

II

[GERMAN TEXT — TEXTE ALLEMAND]

BUNDESKANZLERAMT
AUSWÄRTIGE ANGELEGENHEITEN

ZI. 434.846-Wpol/55

VERBALNOTE

Das Bundeskanzleramt, Auswärtige Angelegenheiten, beeckt sich, den Empfang der sehr geschätzten Verbalnote Zl. 6923 B/9 T vom 21. Dezember 1955 zu bestätigen, die wie folgt lautet :

[See note I — Voir note I]

Das Bundeskanzleramt, Auswärtige Angelegenheiten, beeckt sich mitzuteilen, dass die Oesterreichische Bundesregierung mit Vorstehendem einverstanden ist und hiemit das Abkommen mit 1. Januar 1956 in Kraft tritt.

Das Bundeskanzleramt, Auswärtige Angelegenheiten, benützt diese Gelegenheit, um der Italienischen Botschaft die Versicherung seiner ausgezeichneten Hochachtung zu erneuern.

Wien, am 21. Dezember 1955

An die Italienische Botschaft
Wien

[TRANSLATION — TRADUCTION]

FEDERAL MINISTRY
OF FOREIGN AFFAIRS

No. 434.846-Wpol/55

[TRADUCTION — TRANSLATION]

CHANCELLERIE FÉDÉRALE
AFFAIRES ÉTRANGÈRES

Nº 434.846-Wpol/55

NOTE VERBALE

NOTE VERBALE

The Federal Ministry of Foreign Affairs has the honour to acknowledge receipt of note No. 6923 B/9 T of 21 December 1955, which reads as follows :

[See note I]

No. 3716

La Chancellerie fédérale, Affaires étrangères, a l'honneur d'accuser réception de la note verbale n° 6923 B/9 T, en date du 21 décembre 1955, dont le texte est le suivant :

[Voir note I]

The Federal Ministry of Foreign Affairs has the honour to confirm that the Federal Austrian Government is in agreement with the foregoing and that the Agreement will accordingly enter into force on 1 January 1956.

The Federal Ministry of Foreign Affairs has the honour, etc.

Vienna, 21 December 1955

To the Italian Embassy
Vienna

La Chancellerie fédérale, Affaires étrangères, a l'honneur de faire savoir que le Gouvernement fédéral d'Autriche donne son agrément à ce qui précède et que l'Accord entrera donc en vigueur le 1^{er} janvier 1956.

La Chancellerie fédérale, Affaires étrangères, saisit, etc.

Vienne, le 21 décembre 1955

Ambassade d'Italie
Vienne