

WRITTEN QUESTION E-0704/05
by Antonio De Poli (PPE-DE)
to the Commission

Subject: Free Port of Trieste and the new European Customs Code

The free port of Trieste is governed by a special regime established by the 1947 Treaty of Paris, enacted under Italian law and the Austro-Hungarian law of the time.

Council Regulation (EEC) No 2913/92¹ stipulates in Article 3 that 'the customs territory of the Community shall comprise: (...) the territory of the Italian Republic, except the municipalities of Livigno and Campione d'Italia and the national waters of Lake Lugano which are between the bank and the political frontier of the area between Ponte Tresa and Porto Ceresio ...', thus omitting to include in the list the free port of Trieste, which is not part of the customs territory of the Italian State or, to put more accurately, is regarded as being outside the customs line.

The European Commission is apparently preparing a new Community Customs Code. However, the port of Trieste has been governed by the duty free regime since 1947 and this arrangement was even confirmed in Article 307 (former Article 234) of the 1957 Treaty of Rome. In addition, the free port services offered by Trieste is of an international nature owing to its strategic position which enables it to serve the interests of Austria, Germany and Hungary, as well as obviously north-east Italy.

In the European Commission's view, what implications will the new European Customs Code have for the European free ports regime, and the free port of Trieste in particular?

¹ OJ L 302, 19.10.1992, p. 1.