

UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/4395  
6 July 1960.

ORIGINAL: ENGLISH

Fifteenth session

PROVISIONAL AGENDA OF THE FIFTEENTH REGULAR SESSION OF THE  
GENERAL ASSEMBLY: ITEM PROPOSED BY AUSTRIA

THE PROBLEM OF THE AUSTRIAN MINORITY IN ITALY

Letter dated 23 June 1960 from the Federal Minister for Foreign  
Affairs of Austria, addressed to the Secretary-General

Vienna, 23 June 1960

Referring to rule 13 (e) of the rules of procedure of the General Assembly,  
I have the honour to propose the following item for inclusion in the agenda of the  
fifteenth regular session of the United Nations General Assembly:

"The Problem of the Austrian Minority in Italy".

In accordance with rule 20 of the rules of procedure an explanatory memorandum  
is attached.

(Signed) Bruno KREISKY  
Federal Minister for Foreign Affairs

## EXPLANATORY MEMORANDUM

As a result of the First World War and in conformity with the terms of the London Agreement of 1915, the Peace Treaty of St. Germain handed over to Italy the territory of what is today the province of Bozen, which had for centuries formed an integral part of Austria. This separation occurred against the express wish of the Austrian part of the population of South Tyrol, which then formed 97 per cent of the total number of inhabitants of the territory, and was, therefore, in clear contradiction to the principles of the Fourteen Points Program of President Wilson, on the basis of which the armistice and peace negotiations were to be conducted; more precisely it contradicted Point 9 (postulating the demarcation of the Austro-Italian frontier along clearly recognizable lines of nationality) and Point 10 (regarding the peoples' right of self-determination).

Austria protested strongly against this decision of the Peace Conference, but did not succeed in changing it. Later, even Allied statesmen admitted publicly that this decision was a mistake.

In the late fall of 1919, the population of South Tyrol, having been incorporated against their will in Italy, demanded from Rome an autonomy "for the compact and coherent territory of German or Ladinian ethnic and linguistic character". Italian representatives in high office gave the assurance to protect the ethnic character of the territory and to fulfill the request for autonomy.

However, these promises were not kept. On the contrary, the policy of Italianisation of the territory began immediately, gaining momentum after the seizure of power by the Fascists and leading finally to the Agreement between Mussolini and Hitler of 23 June 1939 regarding the transfer of the South Tyrolean population into the German Reich. It was only due to the outbreak of the war and the collapse of the dictatorships that the resettlement could not be brought to its end. Nevertheless, these developments had the effect that the percentage of the Italian part of the population, which had amounted to 3 per cent at the time of the separation of South Tyrol from Austria and had reached 8 per cent in 1921, rose to 24 per cent in 1939. In 1953, it amounted to as much as 34 per cent.

After the end of the Second World War, the South Tyrolean population made new efforts aiming at the return of their country to Austria. In 1946, their representatives presented the Austrian Federal Chancellor with a petition bearing

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123,777 signatures and requesting the incorporation of South Tyrol in Austria.

As the Austrian minority consisted then of about 230,000 people, this collection of signatures represented practically the declared will of all enfranchised South Tyroleans. Notwithstanding this clear manifestation, on 20 April 1946 the Conference of the Foreign Ministers in Paris decided that South Tyrol was to remain with Italy.

In order to protect the ethnic and cultural character of the Austrian population in South Tyrol, on 5 September 1946 an Agreement between the Austrian Foreign Minister Gruber and the Italian Premier De Gasperi was signed providing for a legislative and executive autonomy of the South Tyrolean population. This Agreement has been incorporated, as its Annex IV, in the Peace Treaty between Italy and the Allied Powers and has, therefore, acquired multilateral character. Apart from certain measures enumerated by way of example and aiming primarily at the reparation of Fascist wrongs, it provides among other things for the parification of the German and Italian languages in public offices and the establishment of a more appropriate proportion in the distribution of posts in public offices.

But its most important provision is contained in Article 2, by which the population of the province of Bozen is granted the exercise of an autonomous legislative and executive regional power.

Unfortunately, this Agreement was interpreted and applied by Italy in a way that contradicted its purpose in essential respects. This is particularly true in view of the amalgamation, brought about by the Autonomy Statute of 1948, of the province of Bozen with the Italian Trentino in one autonomous region, in which the Italians form a majority of two thirds. This procedure turned the autonomy pledge made to the South Tyrolese, in spite of the granting of a certain sub-autonomy to the province of Bozen, largely into an empty promise. But even the few competences that are conceded to the province within the framework of this sub-autonomy have been so reduced by implementation regulations of the Italian Government and by decisions of the Italian Constitutional Court that, in comparison with the model autonomy for the Aaland Islands or the one for the Faroe Islands, but also with other autonomies in Italy itself, it is scarcely possible to call this regime an autonomy.

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Obviously, it cannot have been the purpose of the Gruber-De Gasperi Agreement to secure the right of self-government to the Italian population of the Trentino; moreover, on what title should Austria have based such a claim?

So the Austrian minority has not received by the above arrangement the autonomy promised to it, the exercise of which is in the hands of the Italian majority.

As one might have expected, the disadvantages of this arrangement became more and more obvious and led to a growing exasperation in South Tyrol. In 1954, the South Tyrolese presented the Italian Government with a memorandum containing their complaints regarding the disadvantages of the Agreement. No answer was received.

In the meantime, Austria has been making efforts for several years to find, in negotiations with the Italian Government, a solution to these questions and has tried every bilateral way in order to arrive at a settlement.

The Austrian Federal Government has firstly proposed an Austro-Italian Mixed Commission to examine this problem, but declared itself equally ready, after this proposal had been turned down by the Italian Government, to conform with the latter's wish and enter into negotiations conducted through diplomatic channels. Up to the present day these negotiations have unfortunately not led to any concrete results; on the contrary, due to the refusal of the Italian Government even to discuss the principal issue, i.e. the granting of an autonomy to the province of Bozen, during these last months they have been reaching a dead end.

During all this time the situation on the spot became more and more acute as the population was ever more convinced that the right of self-government promised to them in the Paris Agreement was being withheld from them.

In view of the fruitless efforts to solve this problem bilaterally and considering the strained relations in South Tyrol itself, the Austrian Federal Government feel entitled and even obliged to request that the South Tyrolean problem be put on the agenda of this year's General Assembly. In doing so, they have in mind Resolution 217 C (III) of 10 December 1948, in which the General Assembly declared that "the United Nations cannot remain indifferent to the fate of minorities" and Resolution 532 B (VI) of 4 February 1952, listing the protection of minorities as one of the most important branches of the positive work undertaken by the United Nations.

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In virtue of Article 10 and Article 14 of the United Nations Charter, Austria, therefore, requests the General Assembly to consider the Austro-Italian dispute that has arisen from Italy's refusal to grant autonomy to the province of Bozen and, in the spirit of the Charter, to bring about a just settlement based on democratic principles, by which the Austrian minority in Italy is conceded a true autonomy so as to enjoy the self-administration and self-government it has asked for and, indeed, it needs for the protection of its existence as a minority.

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