

Treaty: Treaty of Peace with Italy, signed at Paris, on 10 February 1947  
Parties: Italy, France, Allied Powers  
Basin: Lake of Mont Cenis  
Date: 2/10/1947

No. 747. TREATY <sup>1</sup> OF PEACE WITH ITALY. SIGNED AT PARIS ON 10 FEBRUARY 1947

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, China, France, Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, the Netherlands, New Zealand, Poland, the Ukrainian Soviet Socialist Republic, the Union of South Africa, and the People's Federal Republic of Yugoslavia, hereinafter referred to as "the Allied and Associated Powers", of the one part, and Italy, of the other part:

Whereas Italy under the Fascist regime became a party to the Tripartite Pact with Germany and Japan, undertook a war of aggression and thereby provoked a state of war with all the Allied and Associated Powers and with other United Nations, and bears her share of responsibility for the war; and

Whereas in consequence of the victories of the Allied forces, and with the assistance of the democratic elements of the Italian people, the Fascist regime in Italy was overthrown on July 25, 1943, and Italy, having surrendered unconditionally, signed terms of Armistice on September 3 and 29 the same year; and

Whereas after the said Armistice Italian armed forces, both of the Government and of the Resistance Movement, took an active part in the war against Germany, and Italy declared war on Germany as from October 13, 1943, and thereby became a co-belligerent against Germany; and

Whereas the Allied and Associated Powers and Italy are desirous of concluding a treaty of peace which, in conformity with the principles of justice, will settle questions still outstanding as a result of the events hereinbefore recited and will form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Italy's application to become a member of the United Nations and also to adhere to any convention conclude under the auspices of the United Nations;

Have therefore agreed to declare the cessation of the state of war and for this purpose to conclude the present Treaty of Peace, and have accordingly appointed the undersigned Plenipotentiaries who, after presentation of their full powers, found in good and due form, have agreed on the following provisions:

*Article 7*

The Italian Government shall hand over to the French Government all archives, historical and administrative, prior to 1860, which concern the territory ceded to France under the Treaty of March 24 1860, <sup>2</sup> and the Convention of August 23 1860. <sup>3</sup>

*Article 8*

1. The Italian Government shall co-operate with the French Government for the possible establishment of a railway connection between Briançon and Modane, via Bardonnèche.
2. The Italian Government shall authorize, free of customs duty and inspection, passport and other such formalities, the passenger and freight railway traffic travelling on the connection thus established, through Italian territory, from one point to another in France, in both directions; and shall take all

necessary measures to ensure that the French trains using the said connection are allowed, under the same conditions, to pass duty free and without unjustifiable delay.

3. The necessary arrangements shall be concluded in due course between the two Governments.

*Article 9*

1. *Plaeau of Mont Cenis*

In order to secure to Italy the same facilities as Italy enjoyed in respect of hydroelectric power and water supply from the Lake of Mont Cenis before cession of this district to France, the latter shall give Italy under bilateral agreement the technical guarantees set out in Annex III.

2. *The Tenda-Briga District*

In order that Italy shall not suffer any diminution in the supplies of electric power which Italy has drawn from sources existing in the Briga district before its cession to France, the latter shall give Italy under bilateral agreement the technical guarantees set out in Annex III.

SECTION III - AUSTRIA (Special Clauses)

*Article 10*

1. Italy shall enter into or confirm arrangements with Austria guarantee free movement of passenger and freight traffic between the North and East Tyrol.

2. Allied and Associated Powers have taken note of the provisions (the text of which is contained in Annex IV) agreed upon by the Austrian and Italian Governments on September 5, 1946.

SECTION IV- PEOPLE'S FEDERAL REPUBLIC OF YUGOSLAVIA  
(Special Clauses)

*Article 11*

1. Italy hereby cedes to Yugoslavia in full sovereignty the territory situated between the new frontiers of Yugoslavia as defined in Articles 3 and 22 and the Italo-Yugoslav frontier as it existed on January 1, 1938, as well as the commune of Zara and all islands and adjacent islets lying within the following areas:

(a) The area bounded:

On the north by the parallel of 42° 50' N.;  
On the south by the parallel of 42° 42' N.;  
On the east by the meridian of 17° 10' E.;  
On the west by the meridian of 16° 25' E.;

(b) The area bounded:

On the north by a line passing through the Porto del Quieto, equidistant from the coastline of the Free Territory of Trieste and Yugoslavia, and thence to the point 45° 15' N., 13° 24' E.;

On the south by the parallel 44° 23' N.;

On the west by a line connecting the following points:

1) 45° 15' N. - 13° 24' E.;

2) 44° 51' N. - 13° 37' E.;

3) 44° 23' N. - 14° 18' 30" E.

On the east by the west coast of Istria, the islands and the mainland of Yugoslavia.

A chart of these areas is contained in Annex 1.

2. Italy hereby cedes to Yugoslavia in full sovereignty the island of Pelagosa and the adjacent islets.

The island of Pelagosa shall remain demilitarised.

Italian fishermen shall enjoy the same rights in Pelagosa and the surrounding waters as were there enjoyed by Yugoslav fishermen prior to April 16, 1941.

#### *Article 12*

1. Italy shall restore to Yugoslavia all objects of artistic, historical, scientific, educational or religious character (including all deeds, manuscripts, documents and bibliographical material) as well as administrative archives (files, registers, plans and documents of any kind) which, as a result of the Italian occupation, were removed between November 4, 1918 and March 2, 1924, from the territories ceded to Yugoslavia under the treaties signed in Rapallo on November 12, 1920<sup>4</sup> and in Rome on January 27, 1924.<sup>5</sup> Italy shall also restore all objects belonging to those territories and falling into the above categories, removed by the Italian Armistice Mission which operated in Vienna after the first World War.

2. Italy shall deliver to Yugoslavia all objects having juridically the character of public property and coming within the categories in paragraph 1 of the of the present Article, removed since November 4, 1918, from the territory which under the present Treaty is ceded to Yugoslavia, and those connected with the said territory which Italy received from Austria or Hungary under the Peace Treaties signed in St. Germain on September 10, 1919, and in the Trianon on June 4, 1920, and under the convention between Austria and Italy, signed in Vienna on May 4, 1920.<sup>6</sup>

3. If, in particular cases, Italy is unable to restore or hand over to Yugoslavia the objects coming under paragraphs 1 and 2 of this Article, Italy shall hand over to Yugoslavia objects of the same kind as, and of approximately equivalent value to, the objects removed, in so far as such objects are obtainable in Italy.

#### *Article 13*

The water supply for Gorizia and its vicinity shall be regulated in accordance with the provisions of Annex V.

### SECTION V -.GREECE (Special Clause)

#### *Article 14*

1. Italy hereby cedes to Greece in full sovereignty the Dodecanese Islands indicated hereafter, namely Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), Cos (Kos), and Castellorizo, as well as the adjacent islands.
2. These islands shall be and shall remain demilitarised.
3. The procedure and the technical conditions governing the transfer of these islands to Greece will be determined by agreement between the of the United Kingdom and Greece and arrangements shall be made for the withdrawal of foreign troops not later than 90 days from the coming into force of the present Treaty.

<sup>1</sup> Came into force on 15 September 1947 upon the deposit with the Government of French Republic of the instruments of ratification by the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and France, in accordance with Article 90.

List of States which have deposited instruments of ratification or accession with the Government of the French Republic and dates of deposit thereof:

United States of America.....	15	September	1947	Ratification
France .....	15	September	1947	Ratification
United Kingdom .....	15	September	1947	Ratification
U.S.S.R. ... ..	15	September	1947	Ratification
Yugoslavia* .....	15	September	1947	Ratification
Italy .....	15	September	1947	Ratification
India** .....	15	September	1947	Ratification
Canada .....	15	September	1947	Ratification
Czechoslovakia.....	14	October	1947	Ratification
Albania.....	20	October	1947	Ratification
Greece.....	28	October	1947	Ratification
Union of South Africa .....	4	November	1947	Ratification
Ethiopia.....	6	November	1947	Ratification
China.....	24	November	1947	Ratification
New Zealand.....	24	December	1947	Ratification
Poland .....	4	February	1948	Ratification
Mexico .....	10	April	1948	Ratification
Australia .....	9	July	1948	Ratification
Belgium.....	4	September	1948	Ratification
Brazil .....	4	January	1949	Ratification
Netherlands.....	7	February	1949	Ratification

\* Yugoslavia deposited instruments of ratification on 4 September 1947.

\*\*The Government of Pakistan has informed the French Government that it considers the ratification deposited by the Indian Government as binding on its country.

<sup>2</sup> De Martens, *Nouveau Recueil general de Traites*, tome XVI, Partie II, page 539.

<sup>3</sup> De Martens, *Nouveau Recueil general de Traites*, tome XVII, Partie II, page 22.

<sup>4</sup> League of Nations, *Treaty Series, Volume XVIII*, page 387.

<sup>5</sup> League of Nations, *Treaty Series, Volume XIV*, page 31.

<sup>6</sup> De Martens, *Nouveau Recueil general de Traités*, troisième série, tome XIX, page 682.