

Italy



Ministero degli Affari Esteri  
e della Cooperazione Internazionale

## Professor Giuseppe Nesi

Candidate  
for the International  
Law Commission  
2023 - 2027



## Professor Giuseppe Nesi • Vision

Italy's contribution to the United Nations is characterized by a strong commitment to the promotion and development of the rule of law. Its consistent policy of strengthening the role of international law, international institutions and effective multilateralism has earned worldwide respect. For example, Italy has hosted international meetings and diplomatic conferences leading to the adoption of international instruments that codify international law and help to lay the cornerstones of international co-existence, such as the international treaties on counterterrorism and the repression of international crimes. Italy also funds and participates actively in the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. This commitment at the national level reflects in the major contribution of Italian scholars to the development of international law. In addition to their considerable publications in the field, they have long been members of international tribunals and bodies devoted to the advancement of the rule of law in international relations. The International Law Commission (ILC), in particular, has benefitted from the leading role played, in some of its most complex and significant codifications, by its Italian members, including Roberto Ago, Gaetano Arangio-Ruiz, and Giorgio Gaja, to name a few.

It is against this background, and after a careful evaluation of the most qualified candidates, that Italy is pleased to nominate Professor Giuseppe Nesi, a renowned scholar with an outstanding academic record and solid experience in diplomatic affairs, as a candidate to the ILC for the 2023-2027 term (elections to be held in November 2021). Professor Nesi is ready to offer his expertise and experience to help further develop and strengthen the ILC. While ensuring the highest standards of integrity and independence, Professor Nesi – as a former delegate of the Sixth Committee of the General Assembly – is strongly committed to an ongoing interaction between the ILC and the Sixth Committee, in the conviction that the works of the ILC must ultimately serve the community of States represented in the United Nations General Assembly.



## Professor Giuseppe Nesi • Biographical Statement

Throughout his career, Professor Giuseppe Nesi has combined an intense scholarly activity with distinguished diplomatic experience at the bilateral and multilateral levels.

Since 1992, he has taught International Law, Law of International Institutions, International Human Rights and European Union Law at the University of Trento, where he has been the Dean of the Law School (2012-2018) and a founder of the School of International Studies. He has also taught and lectured at universities and research centers in Italy and abroad on a range of international law topics, including international organizations, human rights, counterterrorism and international criminal justice. He has published extensively in the field of public international law and the law of international organizations. In 2013, he was appointed as an independent member of the Italian Inter-ministerial Committee for Human Rights, as a human rights expert.

Giuseppe Nesi has served as the Vice President of the Italian Society of International Law and European Union Law. He is a member of several scholarly associations, including the European Society of International Law, the French Society of International Law, the International Institute of Humanitarian Law, the International Law Association and the Italian Society for International Organization, which is the UNA representative for Italy. He is on the Board of Governors of the International Association of Law Schools and is currently the General Editor of the Italian Yearbook of International Law.

In addition to his teaching and research, Professor Nesi has served as a legal advisor to the Italian Diplomatic Corps and to international institutions. Since 1992 he has been a Legal Counsellor to the Italian Ministry of Foreign Affairs and International Cooperation. His assignments have included Legal Adviser to the Italian Mission in New York (2002-2010); in 2010-11, he was appointed Legal Adviser to the President of the UN General Assembly. During his time in New York, he participated in numerous bilateral and multilateral negotiations on delicate and complex issues and represented Italy in all the activities of the Sixth Committee of the General Assembly and related bodies. He was the Vice-Chair of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and was the Legal Adviser of the Italian Delegation in the Security Council.

Professor Giuseppe Nesi received a Law Degree from the University of Catania, a Master of Arts in International Affairs from the Johns Hopkins University and a PhD in International Law from the University of Rome "La Sapienza."



## Professor Giuseppe Nesi • Selected Publications

- Non-Permanent Members of the Security Council and International Criminal Justice. A Proposal for Revitalization, in N. SCHRIJVER and N. BLOKKER (eds.), *The Role of Elected Members on the Security Council in Pursuit of Peace and Justice: Key Players or Lame Ducks?*, Martinus Nijhoff, The Hague, 2020, 267-278.
- Member-on-member Sexual and Gender-based Crimes as War Crimes: Towards the Progressive Autonomy of International Criminal Responsibility from International Humanitarian Law? *Stellenbosch Law Review*, forthcoming (G. NESI and L. POLTRONIERI ROSSETTI).
- Diritto internazionale e diritto interno nel recesso unilaterale dai trattati, 102 *Rivista di diritto internazionale* (2019), 977-1005.
- *Uti possidetis* Doctrine, in R. WOLFRUM (ed.), *Max Planck Encyclopedia of Public International Law*, Oxford: Oxford University Press (2018 update).
- Boundaries, in M. HÉBÉLÉ and M. G. KOHEN, *Handbook on Territorial Disputes in International Law*, Edward Elgar Publishing Ltd., 2018, 193-233.
- Migrazioni e diritto internazionale: verso il superamento dell'emergenza?, *Atti del XXII Convegno della Società Italiana di Diritto Internazionale e di Diritto dell'Unione Europea (SIDI)*, Napoli, Editoriale Scientifica, 2018 (G. NESI, ed.).
- *Diplomatici. 33 saggi su aspetti giuridici e politici della diplomazia contemporanea*, Napoli, Editoriale Scientifica, 2018 (G. NESI, co-editor).
- The Repression of the Crimes of Sexual Exploitation and Abuse Committed by Peacekeepers: Recent Developments, in 72 *La Comunità Internazionale* (2017), 327-342.
- Ricordo di Luigi Ferrari Bravo, 99 *Rivista di diritto internazionale* (2016), 857-865.
- Statehood, Self-Determination and International Criminal Justice. A Few remarks, in P. HILPOLD (ed.), *Autonomie und Selbstbestimmung in Europa und im internationalen Vergleich (Autonomy and Self-Determination in Europe and Global Perspective)*, Vienna, Nomos – Dike, 2016, 322-334; published also in 75 *Rev. Fac. Direito UFMG, Belo Horizonte*, 2019, 249-262.
- Conclusions, Laws and Conflicts over Territories, in M. NICOLINI, F. PALERMO and E. MILANO (eds.), *Law, Territory, and Conflict Resolution. Law as a Problem and Law as a Solution*, Leiden-Boston, Brill Nijhoff, 2016, 362-365.
- Il diritto internazionale come professione, Napoli, Editoriale Scientifica, 2015 (G. NESI co-editor).
- Brevi note su diritto e politica all'ONU. Ammissione, accreditamento, rappresentanza e status di osservatore in *Assemblea Generale*, in M. VELLANO (ed.), *Il futuro delle organizzazioni internazionali. Prospettive giuridiche*, Atti del XIX Convegno S.I.D.I., Courmayeur, 26-28 giugno 2014, Napoli, Editoriale Scientifica, 2015, 601-619.
- International Terrorism, the Law of War and the Negotiation of a UN Comprehensive Convention, in F. POCAR, M. PEDRAZZI, M. FRULLI (eds.), *War Crimes and the Conduct of Hostilities*, Edward Elgar Publishing, 2013, 243-256.
- The Quest for a 'Full' Execution of the ICJ Judgment in *Germany v. Italy*, in 11 *Journal of International Criminal Justice* (2013), 185-198.
- Recognition of the Libyan Transitional Council: When, How and Why, in 21 *Italian Yearbook of International Law* (2011), 45-59.
- An approach to terrorism, in M. ODELLO, G. L. BERUTO (eds.), *Global Violence: Consequences and Responses*, 33th Round Table on Current Issues of International Humanitarian Law, Milano, Franco Angeli, 2011, 97-108.
- Child labour in a globalized world. A legal analysis of ILO action, Aldershot, Ashgate, 2008 (G. NESI, co-editor).
- OSCE (Organizzazione per la sicurezza e la cooperazione in Europa), in *Dizionario di diritto pubblico*, S. CASSESE (ed.), Milano, Giuffrè, 2006, 4050-4061.
- Reflections on the Security Council's counter-terrorism resolutions, in *Swords into plowshares: building peace through the United Nations*, R. S. LEE (ed.), Leiden - Boston, Martinus Nijhoff, 2006, 85-91.
- International co-operation in counter-terrorism: the United Nations and regional organizations in the fight against terrorism, Aldershot, Ashgate, 2006 (G. NESI, ed.).
- The International Criminal Court and the Crime of Aggression, Aldershot, Ashgate, 2004 (G. NESI, co-editor).
- The relationship between the European Union and the OSCE in crisis management, in E. CANNIZZARO (ed.), *The European Union as an actor in international relations*, Den Haag, Kluwer Law International, 2002, 271-277.
- The Rome Statute of the International Criminal Court: A Challenge to Impunity, Aldershot, Ashgate, 2001 (G. NESI, co-editor).
- The Organs of the International Criminal Court and their Functions in the Rome Statute. *The Assembly of States Parties*, in F. LATTANZI and W. SCHABAS (eds.), *Essays on the Rome Statute of the International Criminal Court*, vol. I, II Sirente, Ripa Fagnano Alto, 1999, 233-250.
- *L'uti possidetis hors du contexte de la décolonisation: le cas de l'Europe*, 44 *Annuaire Français de Droit International* (1998), 1-23.
- *L'uti possidetis iuris nel diritto internazionale*, Padova, CEDAM, 1996.
- *Organization of African Unity (O.A.U.)*, 10 *Digesto (IV edizione)*, Discipline Pubblicistiche, UTET, Torino, 1995, 218-240.
- *Uti possidetis juris e delimitazioni marittime*, 74 *Rivista di diritto internazionale* (1991), 534-570.

Peer reviewer of articles and books on various topics of international law for Italian and foreign institutions, journals and publishers.