

The Italian Yearbook of International Law

The Italian Yearbook of International Law

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LIST OF ABBREVIATIONS

Periodicals*

AFDI	Annuaire Français de Droit International
AJIL	American Journal of International Law
ASIL	American Society of International Law Proceedings
AVR	Archiv des Völkerrecht
BISD	GATT – Basic Instruments and Selected Documents
BYIL	British Yearbook of International Law
CI	La Comunità Internazionale
CJIL	Chinese Journal of International Law
CML Rev.	Common Market Law Review
Columbia JTL	Columbia Journal of Transnational Law
Cornell ILJ	Cornell International Law Journal
CS	Comunicazioni e Studi
CYIL	Canadian Yearbook of International Law
DCI	Diritto del Commercio Internazionale
DCSI	Diritto Comunitario e degli Scambi Internazionali
DPCE	Diritto Pubblico Comparato ed Europeo
DUDI	Diritti Umani e Diritto Internazionale
DUE	Il Diritto dell'Unione Europea
ECLR	European Competition Law Review
ECR	European Court Reports
EdD	Enciclopedia del Diritto
EG	Enciclopedia Giuridica (Treccani)
EHRR	European Human Rights Reports
EJIL	European Journal of International Law
EL Rev.	European Law Review
ETS	European Treaty Series
Foro It.	Foro Italiano
Giur. Cost.	Giurisprudenza Costituzionale
Giur. It.	Giurisprudenza Italiana
GU	Gazzetta Ufficiale della Repubblica Italiana
GYIL	German Yearbook of International Law
Harvard ILJ	Harvard International Law Journal
HRLJ	Human Rights Law Journal
ICJ Pleadings	International Court of Justice, Pleadings, Oral Arguments, Documents

* The present list covers only the most frequently cited periodicals.

ICJ Reports	International Court of Justice, Reports of Judgments, Advisory Opinions and Orders
ICLQ	International and Comparative Law Quarterly
IJCP	International Journal of Cultural Property
ILDC	International Law in Domestic Courts
ILM	International Legal Materials
ILR	International Law Reports
Int. Lawyer	International Lawyer
IOLR	International Organizations Law Review
IRRC	International Review of the Red Cross
IYIL	Italian Yearbook of International Law
JDI	Journal du Droit International
JICJ	Journal of International Criminal Justice
JIEL	Journal of International Economic Law
JWT	Journal of World Trade
Leiden JIL	Leiden Journal of International Law
Max Planck UNYB	Max Planck Yearbook of United Nations Law
NILR	Netherlands International Law Review
NYIL	Netherlands Yearbook of International Law
OIDU	Ordine Internazionale e Diritti Umani
OJ EC	Official Journal of the European Communities
OJ EU	Official Journal of the European Union
PCIJ Series	Permanent Court of International Justice, Series
QIL	Questions of International Law
RBDI	Revue Belge de Droit International
RCADI	Recueil des Cours de l'Académie de Droit International de La Haye/Collected Courses of the Hague Academy of International Law
RCGI	Rivista della Cooperazione Giuridica Internazionale
RDI	Rivista di Diritto Internazionale
RDIPP	Rivista di Diritto Internazionale Privato e Processuale
RECIEL	Review of European Community and International Environmental Law/ Review of European, Comparative and International Environmental Law
RGA	Rivista Giuridica dell'Ambiente
RGDIP	Revue Générale de Droit International Public
RIDPC	Rivista Italiana di Diritto Pubblico Comunitario
RMUE	Revue du Marché Unique Européen
RTDH	Revue Trimestrielle des Droits de l'Homme
Schw. ZIER	Schweizerische Zeitschrift für Internationales und Europäisches Recht
Texas ILJ	Texas International Law Journal
UNTS	United Nations Treaty Series
Yale JIL	Yale Journal of International Law
YEL	Yearbook of European Law
YIEL	Yearbook of International Environmental Law

YIHL	Yearbook of International Humanitarian Law
YILC/ACDI	Yearbook of the International Law Commission/ Annuaire de la Commission du droit international
ZAÖRV	Zeitschrift für Ausländisches Öffentliches Recht und Völkerrecht

Italian legal acts

Law	Legge (Act of Parliament)
DL	Decreto Legge (Decree-Law) (Decree adopted by the Government in case of extreme urgency which has the same, albeit provisional, effect of a Law, and which must be approved by the Parliament within 60 days. On the contrary, it loses its legal effect)
D.Lgs.	Decreto Legislativo (Legislative Decree) (Decree adopted by the Government upon delegation by the Parliament)
DPR	Decreto del Presidente della Repubblica (Decree of the President of the Republic)
DPCM	Decreto Presidente del Consiglio dei Ministri (Decree of the President of the Council of Ministers or Prime Minister)
DM	Decreto Ministeriale (Ministerial Decree)
Reg.	Regolamento (Administrative Regulation)

ITALIAN COURTS

<i>Tribunale</i>	Court of First Instance
<i>Corte d'Appello</i>	Court of Appeals
<i>Corte di Cassazione</i>	Court of Cassation
TAR	Regional Administrative Tribunal
<i>Consiglio di Stato</i>	Council of State (Supreme Administrative Court)
<i>Corte Costituzionale</i>	Constitutional Court

FOREWORD

The production process of Volume 33 of the IYIL was upset by the death of Francesco Francioni on 2 February 2024. Throughout his dense career, his continuous dedication to the IYIL stands out. He contributed to the IYIL since its very first volume with an article on criminal jurisdiction over foreign vessels in territorial waters (IYIL, Vol. 1, 1975, p. 27 ff.) and some twenty-five years later he was a driving force behind the launch of the current second series of the IYIL. He was in fact General Editor from Volume 9 (1999) to Volume 24 (2014) and, until his very last day, he generously gave key inputs and suggestions on the contents of the IYIL, including the present volume. Last February, it was therefore only natural to urgently commission a memoir of Francioni as the opening piece of this volume. We are deeply thankful to Tullio Scovazzi for having accepted and honoured the invitation to write that piece.

The substantive part of Volume 33 first features a number of articles devoted to a variety of international environmental and climate law issues and written by a balanced mix of well-established and younger scholars. It is our hope that the reading of these articles will provide significant insights to the many international political and judicial institutions, starting from the ICJ, that are about to make and deliver key decisions on State obligations vis-à-vis the present planetary emergence arising from environmental and climate disruption. Earlier versions of the published papers were presented at a workshop held at the Law Department of the University of Siena on 27-28 November 2023. I duly acknowledge the financial support of the EU to the organization of the workshop in the context of a Jean Monnet Module I have co-ordinated from 2020 to 2023 (project No. 619930-EPP-1-2020-1-IT-EPPJMO-MODULE).

The volume next contains four pieces reflecting on different aspects of the scientific legacy of Benedetto Conforti, an unforgettable co-founder of the IYIL and giant of Italian international law scholarship. We are very grateful to Massimo Iovane for having proposed the publication of these pieces in the IYIL. They stem from presentations given in Naples on 7 June 2023 at an event organized by Federico II University in honour of Conforti.

In the following part of the volume, the two most significant 2023 pronouncements of the Italian Constitutional Court relating to international law are analysed by means of three contributions. The separate and extensive coverage of Judgment No. 159 on the Nazi Crimes Reparations Fund and Judgment No. 192 on the case of Giulio Regeni appeared fully warranted in view of the crucial holdings of these decisions and their far-reaching implications for State immunity, access to justice, the duty to prosecute torture offenders, and the status of international law in Italy.

The remaining part of the volume covers further aspects of the recent Italian practice of international law by means of scholarly analyses and comprehensive accounts of relevant Italian judicial decisions and diplomatic and parliamentary activities. It also includes, as per tradition, reports and commentaries on the practice of selected international judicial bodies, an Italian bibliographical index of international law, and book reviews.

I am deeply thankful to the many anonymous peer reviewers who have in most cases vastly contributed to improving the submitted articles by means of constructive remarks and criticism. I am also very thankful to the colleagues and friends in the

Board of Editors and Editorial Committee who have variously and valuably contributed to the finalization of the volume. Pierfrancesco Rossi stands out in that respect. Not only did he write two thoughtful articles, he was also in charge of the “invisible” – yet fundamental and very time-consuming – job of copy editing the whole volume. For his part, Daniele Amoroso has continued to perform his key role as Associate Editor with relentless scholarly insights, intellectual sharpness, professionalism, pragmatism and optimism: a blessing for troubled general editors.

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