

## Ornella Ferrajolo

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### CNR Career

Ornella Ferrajolo started to carry out research activity at the Centre for Studies and Research on the International Community and its Institutions, jointly established by the CNR and the Italian Society for International Organizations (SIOI) in 1985. From 1986 to 1989, she was member of the research team working at the Centre and the Historical-Diplomatic Archives of the Italian Ministry for Foreign Affairs (MAE) for the multi-year Project “La Prassi italiana di diritto internazionale” (The Italian Practice in International Law) (under the direction of professors R. Ago and S. Marchisio). In the same years, she participated in the activity of the research unit at the Sapienza University in Rome for the Project “La giurisprudenza italiana di diritto internazionale privato e processuale” (Italian Jurisprudence on Private International Law, directed by professor F. Capotorti).

In 1989, she won a public selection for a position as CNR contract researcher, and was recruited at the CNR-SIOI Centre, where she was charged with coordinating the activity of “The Italian Practice” research teams. In 1994, though maintaining this responsibility, she obtained a second fixed-term position as contract researcher for the Project “Italian Codification of the Law of War (1939) and its Prospects of Reform”. In 1995, she published as co-editor *La Prassi italiana di diritto internazionale – III Serie* (7 voll. plus Indexes, CNR publ., Rome, pp. 4306; also available at <http://www.prassi.cnr.it/prassi/>).

In 1996, Ornella won a concourse for a permanent position as CNR researcher, and was recruited at the CNR-SIOI Centre, later re-organized and established as the CNR Institute for International Legal Studies. In 2001, she won a concourse for a position as CNR senior researcher (‘Primo ricercatore’) in Legal sciences - International law at the ISGI. In 2011, she obtained the ‘idoneità’ as CNR director of research, through further concourse.

She has been appointed Acting Director of the ISGI-CNR since March 1, 2018.

### Main research activity

As ISGI researcher – and a member of the ISGI Scientific Board in the whole period 1994-2002 – Ornella has been participating in designing and implementing a great number of projects in international and EU law, involving research, advanced training and expert consultancy. She mainly specializes in international environmental law, space law, human rights law, international humanitarian law, and international criminal law.

Her main research interests include unwritten international law, treaty law and their relationship with the state domestic legal order, with a focus on international and national implementing mechanisms. Currently, she is coordinating the project “Italy and International Law”, within the framework of a broader ISGI Project on the contribution given by Italy to the development of international law, international organizations and the European

integration process. Formerly, she had directed the ISGI Project “International Treaties and National Law: The Dynamics of Implementation” (2010-2012), with a special focus on the execution of treaty provisions in Italy.

Since the beginning of the Nineties Ornella has been developing considerable expertise in the field of international environmental law, through participating in a number of ISGI projects, from those concerning the UN Rio Conference preliminary and plenary sessions, outcomes and follow-up (*Rio 1992: Vertice per la Terra*, Franco Angeli, 1993; *Rio cinque anni dopo*, Franco Angeli, 1998) to most recent projects on sustainable development and management of natural resources. In the period 2005-2010, she designed the Project “International and EU Environmental Law: Ways and Means of Implementation” and was the project leader for its implementation, carried out in cooperation with the SIOI. Formerly, she had participated in the activity of the Mediterranean Sustainable Development Network (MESDEL) established by the ISGI in cooperation with state authorities, universities and other scientific institutions of Mediterranean countries (1997-1999). Worth of mentioning is also her participation in two CNR Special Projects on cultural and natural heritage (“Progetto Finalizzato Beni Culturali”, 1995-2001; “Progetto Strategico Parchi naturali e aree protette”, 1996-1999) and the “Programma Nazionale di Ricerche in Antartide-PNRA” (Italian National Programme for Research in Antarctica, Legal Area). Beyond studies on marine protected areas, wetlands and polar regions, her individual research concentrates on the operation of follow-up mechanisms established under so called global environmental treaties (“Les réunions des Etats Parties ...”, in *Revue générale de droit international public*, 2003; a monograph on the Ramsar Convention legal system (Giuffrè, 2006); “State Obligations and Non-compliance ...”, in *Journal of International Wildlife Law & Policy*, 2011; etc.).

In the framework of the CNR activity for “Milano Expo” (2014-2015), Ornella was member of the Legal Working Group established by the ISGI in cooperation with the CNR Department on Biology, Agriculture and Food Science for the Project “Safety4Food”. Within the Project, she mainly focused on action for enhancing and further developing the legal framework of international cooperation in food assistance, including in case of natural and man-made disasters (“Searching for Common Legal Rules on Safety for Food in a Globalized World”, ISGI Working Paper, 2015).

With regard to human rights and humanitarian law, her most recent studies deal with the monitoring systems established under the 1989 UN Convention on the Rights of the Child and Protocols (in: *Scritti Saulle*, 2014), and the 2006 UN Convention on the Rights of Persons with Disabilities (in: *The United Nations Convention on the Rights of Persons with Disabilities. A Commentary*, Springer, 2016). Since 2001 she has been ‘correspondent’ of the *Yearbook of International Humanitarian Law* (publ. T.M.C. Asser Institute, The Hague), and has co-authored all ISGI Reports on the relevant Italian practice (one Report per year).

Soon after the entry into force of the Statute of the International Criminal Court (ICC), Ornella authored a new Chapter of the *Enciclopedia giuridica Treccani* on the subject (*Corte penale internazionale: I) Statuto*, in *Enc. Giur.*, Vol. XI, Rome, 2002). In 2005, she designed a CNR ‘curiosity driven’ project on the early implementation of the ICC Statute, for whose purposes she directed the activity of a mixed ISGI-University-NGOs research team from 2005 to 2007 (see: Ferrajolo (ed.), *Corte penale internazionale. Aspetti di giurisdizione e funzionamento nella prassi iniziale*, Giuffrè, 2007).

She also wrote various articles and essays on space law, mainly concerning cooperation among space faring nations and developing countries in the exploitation of outer space

resources (among most relevant writings are “San Marco-Malindi: la base spaziale italiana in Kenia” in *Rivista di diritto internazionale*, 1995, and “Il trattato incompiuto....” in *Scritti Zanghi*, 2011). In the course of the past years, she participated in many sessions of the Legal Subcommittee of the United Nations Committee for the Peaceful Uses of Outer Space (UNCOPUOS) and other international or EU negotiation or consultation processes, sometimes as member of the Italian delegation or, of the European Centre for Space Law (ECSL), and in other cases as CNR or IAF (International Astronautical Federation) ‘public observer’. In 2013, she served as ‘judge’ in the ECSL “Manfred Lachs Moot Court Competition – European Rounds”.

### **Taught Courses**

Ornella Ferrajolo has been contract professor of International Law at the LUMSA University in Rome from the a.y. 2005-2006 to the a.y. 2013-2014. Formerly, she had taught other degree courses, including on “Cooperation to development (a.y. 2004-2005) and “The International Criminal Court” (a.y. 2005-2006), both at the Sapienza University in Rome.

Currently, she is member of the teaching staff of many post-degree Courses, such the Sapienza University Master’s Degrees in “Tutela internazionale dei diritti umani M.R. Saulle” (“International Protection of Human Rights”) and in “Diritto dell’ambiente” (“Environmental Law”); the Master’s Degree in “Istituzioni e politiche spaziali” (“Space Institutions and Policy”), co-organized by the CNR, the SIOI and the Italian Space Agency (ASI); the yearly post-degree Courses organized by the “Scuola di politica internazionale e cooperazione allo sviluppo” (SPICES) of the Federazione degli organismi cristiani – Servizio volontariato internazionale (FOCSIV); the Master’s Degree in “Sviluppo sostenibile, geopolitica delle risorse e studi artici” (“Sustainable Development, Geopolitics of Natural Resources and Arctic Studies”) coorganized by the SIOI and the Unitelma Sapienza University.

In the period 2006-2010, she was member of the Scientific Board and Director of the didactic programme for the 4 editions of the 2<sup>nd</sup> level Master’s Degree in “Environmental Law: Norms, Institutions, Implementing Practice”, jointly organized by the ISGI-CNR and the SIOI in the framework of the above mentioned Project “International and EU Environmental Law: Ways and Means of Implementation”.

### **Further information**

Ornella Ferrajolo has participating, over the years, in the scientific and/or organizing committees of many national and international workshops, seminars and conferences. Among others, “Promoting Compliance with Environmental Law: The OECD Perspective”, co-organized by the CNR, the OECD, the Italian Minister for Foreign Affairs and the SIOI (2007); “Lo Statuto della Corte penale internazionale alla prova dell’applicazione” (CNR, 2006); “Il caso Tellini. Dall’eccidio di Janina all’occupazione di Corfù” (CNR, 2003); a series of lectures on international security co-organized by the CNR, the Istituto Diplomatico ‘Mario Toscano’ and Eurodefense (Sept. 2000-May 2001); the “Third ECSL Colloquium on International Organizations and Space Law”, co-organized by the CNR, the ECSL and the Perugia University (1999).

As far editorial responsibilities are concerned, Ornella is co-editor-in-chief (with G. Palmisano) of *L’Italia e l’applicazione del diritto internazionale/Italy and International law*, a bilingual Survey of Italian cases and materials produced by the ISGI (ISSN: 2284-4910

(Italian); 2283-5426 (English). The Survey is published and freely available as an Internet platform at <http://www.larassegna.isgi.cnr.it/>.

She has been collaborating for a decade (2001-2011) with the Istituto dell'Enciclopedia Italiana in the updating of the Chapters of the *Enciclopedia giuridica Treccani* dealing with International and EU law (one volume per year). From 1995 to 2004, she served as ISGI editor for the quarterly review *Affari Esteri*, published by the Associazione Italiana per gli Studi di Politica Estera (AISPE) with the CNR support.

Ornella Ferrajolo has been a member of the Evaluation Panel of the Italian Ministry for Education and Research (Albo dei revisori del MIUR) since 2012; in 2015, she has been confirmed as member of "MIUR-REPRISE" (Register of Expert Peer-Reviewers for Italian Scientific Evaluation).

In the years 2012-13, she served as 'external referee' for the peer review of research products within the framework of the ANVUR (Italian National Agency for the Evaluation of the University and Research Systems) First Evaluation Cycle (2004-2010).

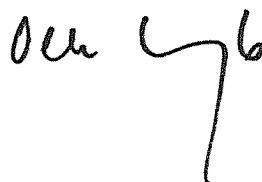
Ornella Ferrajolo is member of the Società Italiana di diritto internazionale e dell'Unione europea (SIDI), the European Centre for Space Law at the European Space Agency (ECSL-ESA), the Société Française pour le Droit International (SFDI), the Association Internationale du Droit de la Mer (AssIDMer).

Degree in Law (110/110) at the University of Bari "Aldo Moro" (1980), Bari, Italy.

Mother tongue: Italian. Other languages: English, French.

Rome, 14 May 2018

Ornella Ferrajolo



### Last years' publications

- FERRAJOLO O (2017). 60. Optional Protocol to the Convention on the Rights of Persons with Disabilities. In: (a cura di): Della Fina, Cera, Palmisano, The United Nations Convention on the Rights of Persons with Disabilities. A Commentary. p. 703-729, Springer, ISBN: 978-3-319-43788-0, doi: 10.1007/978-3-319-43790-
- FERRAJOLO O (2017). Article 34 [Committee on the Rights of Persons with Disabilities]; Article 35 [Reports by States Parties]; Article 36 [Consideration of Reports]. In: (a cura di): Della Fina, Cera, Palmisano, The United Nations Convention on the Rights of Persons with Disabilities. A Commentary. p. 607-634, Springer, ISBN: 978-3-319-43788-0, doi: 10.1007/978-3-319-43790-
- FERRAJOLO O (2017). Denial of the Holocaust and Other Serious Crimes as Part of Racial Discrimination. Law No 15 of 16 June 2016. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, p. 26-31, ISSN: 1389-1359
- FERRAJOLO O (2017). Differences between 'War Campaigns' and 'Peace Operations'. Decision No 240 of 4 October 2016 of the Constitutional Court. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, p. 7-12, ISSN: 1389-1359
- FERRAJOLO O (2016). War Crimes and State Immunity from Jurisdiction: Follow-up of Decision No 238/2014 of the Constitutional Court. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 18, p. 1-10, ISSN: 1389-1359

- FERRAJOLO O (2016). Judgment No. 238/2014 of the Constitutional Court and Follow-up: Some Observations on Approaching to the "Counter-limits" Doctrine in a Constructive Manner. ITALY AND INTERNATIONAL LAW, N. 2: 2014-2015, directed by G. Palmisano and O. Ferrajolo, Rome, December 2016, pp. 1-27, <http://www.larassegna.isgi.cnr.it/sito/judgement2382014.pdf>
- PALMISANO G, FERRAJOLO O (2016). L'Italia e l'applicazione del diritto internazionale / Italy and International Law. vol. 2: anni 2014-2015, ISSN: 2284-4910, <http://www.larassegna.isgi.cnr.it/>
- FERRAJOLO O (2015). The Constitutional Court excluded the duty of Italian judges to comply with the ICJ decision on 'Jurisdictional Immunity of the State'. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 17, p. 1-12, ISSN: 1389-1359
- FERRAJOLO O (2014). Extraordinary Rendition', State Secrecy, Immunity of State Agents: Further Developments in so called Abu Omar Case. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 16, p. 28-31, ISSN: 1389-1359
- FERRAJOLO O (2014). Ricorsi individuali (ma non collettivi) al Comitato per i diritti del bambino nel Protocollo del 2011 alla Convenzione di New York. In: AA.VV.. Scritti in onore di Maria Rita Saulle. p. 595-619, NAPOLI:Editoriale Scientifica, ISBN: 978-88-6342-652-6
- FERRAJOLO O (2014). The Lacking of the Crime of Torture in Italian Legislation: Consequences on the Aldrovandi, Cucchi and Bolzaneto Cases. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 16, p. 21-28, ISSN: 1389-1359
- PALMISANO G, FERRAJOLO O (2014). L'Italia e l'applicazione del diritto internazionale / Italy and International Law. vol. 1: anni 2012-2013 ISSN: 2284-4910, <http://www.larassegna.isgi.cnr.it/>
- FERRAJOLO O (2013). Extraordinary rendition. The Abu Omar case before the Court of Cassation.. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 15, p. 25-30, ISSN: 1389-1359
- FERRAJOLO O (2013). Further Implementation in Italy of the Rome Statute: Provisions Concerning Cooperation with the International Criminal Court. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 15, p. 8-12, ISSN: 1389-1359
- FERRAJOLO O (2013). World War II War crimes. Declarations of the Italian Government Following the Decision of the ICJ on the Case Concerning Jurisdictional Immunity of the State (Germany v. Italy). YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 15, p. 1-4, ISSN: 1389-1359
- FERRAJOLO O (2012). Confirmation of the Decision of the Court of Milan in the Abu Omar Case. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 14, ISSN: 1389-1359
- FERRAJOLO O (2012). Establishment of the National Ombudsperson for Children and Adolescents, and Other Developments in Italian Legislation on Children's Rights. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 14, p. 17-22, ISSN: 1389-1359
- FERRAJOLO O (2012). Return of Immigrants Illegally Staying in Italy, before and after the El Dridi Case. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 14, p. 24-29, ISSN: 1389-1359
- FERRAJOLO O (2011). Il trattato 'incompiuto'. L'accordo sulla luna del 1979 e altre norme internazionali rilevanti per l'uso delle risorse naturali nello spazio esterno. In: (a cura di): Panella L., Spatafora E., Studi in onore di Claudio Zanghì. p. 51-66, TORINO:Giappichelli, ISBN: 9788834825808
- FERRAJOLO O (2011). Italy's Counter-Claim in the Proceeding before the International Court of Justice on the Case Concerning Jurisdictional Immunities of the State (Germany v. Italy). YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 13, p. 531-538, ISSN: 1389-1359

- FERRAJOLO O (2011). Ratification by Italy of the European Council Convention on Action against Trafficking in Human Beings. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 13, p. 564-568, ISSN: 1389-1359
- FERRAJOLO O (2011). State Obligations and Non-Compliance in the Ramsar System. JOURNAL OF INTERNATIONAL WILDLIFE LAW & POLICY, vol. 14, p. 243-260, ISSN: 1388-0292, doi: 10.1080/13880292.2011.626716
- FERRAJOLO O (2010). 'Friendly Fire' Killing of Italian General in Iraq. Calipari case, Supreme Court of Cassation, Decision No. 31171 of 19 June 2008. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 11, p. 504-511, ISSN: 1389-1359
- FERRAJOLO O (2010). Biodiversità (profilo giuridico). In: DESIDERI C., MOSCHINI R.. Dizionario delle aree protette. p. 61-63, PISA:Edizioni Plus srl, ISBN: 978-884672631-5
- FERRAJOLO O (2010). Extraordinary Rendition and State Secrecy. Abu Omar Case, Decision No. 106 of 11 March 2009 of the Constitutional Court. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 12, p. 571-576, ISSN: 1389-1359
- FERRAJOLO O (2009). Decision No. 21 of 25 October 2007 of the Trial Court of Rome on the Calipari case. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 12, p. 369-374, ISSN: 1389-1359
- FERRAJOLO O (2008). Mohammed Daki et al. case before the Supreme Court. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 9, p. 524-527, ISSN: 1389-1359
- FERRAJOLO O (2008). Protecting Polar Regions from Persistent Organic Pollutants: Some Remarks in the Light of the 2001 Stockholm Convention. In: AA. VV.. The Antarctic Legal System. The Protection of the Environment in Polar Regions. p. 55-70, MILANO:Giuffrè, ISBN: 88-14-14216-5
- FERRAJOLO O (2007). La Corte penale internazionale tra indipendenza e cooperazione. In: Ferrajolo O.. (a cura) Corte penale internazionale. Aspetti di giurisdizione e funzionamento nella prassi iniziale. p. 3-35, MILANO:Giuffrè, ISBN: 88-14-13670-X
- FERRAJOLO O (2007). Law No. 92 of 17 May 2005, Participation of Italy in non-military peacekeeping and preventive diplomacy operations of the Organization for Security and Co-operation in Europe (OSCE). YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 8, p. 458-459, ISSN: 1389-1359
- FERRAJOLO O (2007). Mohammed Daki et al. Case. YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW, vol. 8, p. 459-462, ISSN: 1389-1359
- FERRAJOLO O (2007). Trattati (diritto dei). In: AA. VV.. Enciclopedia giuridica Treccani, Aggiornamenti. vol. XV, p. 1-10, ROMA:Istituto della Enciclopedia Italiana Treccani, ISBN: 978-88-12-00037-1
- FERRAJOLO O (a cura di) (2007). Corte penale internazionale. Aspetti di giurisdizione e funzionamento nella prassi iniziale. Di FERRAJOLO O., FANCHIOTTI V., BOSCO G., DELLA MORTE G., DONAT CATTIN D., MIRAGLIA M., CADIN R., CRESCENZI A., MIGNOLLI A., MICHELETTA L., MARCELLI F. p. 1-222, MILANO:Giuffrè, ISBN: 88-14-13670-X