

Bellelli, Giancarlo Roberto (Italy)

(Original: English)

Statement of qualifications

Personal information

Born in Rome on 19 September 1957

Married, two children

Education

- Laurea in giurisprudenza. University of Naples (1982)
- Higher School of Public Administration (1983-1984, public management and finances, Rome)
- Hague Academy of International Law (1985)
- Trainings of the Higher Council for the Judiciary (1989-2011, including on judicial management and organization, international law and organized crime)

Professional experience

2007 to present: Legal Adviser, Italian Embassy, The Hague

2002-2007: President of the Military Tribunal, Turin

Head of the office: management and supervision of the administrative activities carried out by the Tribunal, including budget and finances, human resources, legal aid, and recovery of costs. Presiding judge: main trials included war crimes committed during in 1944, and serious crimes against the public administration.

1997-2007: Legal Expert in international criminal humanitarian law, Legal Department, Italian Ministry of Foreign Affairs.

Advise, drafting of relevant texts, and participation into negotiations. Advice on administrative law, judicial and legislative implementation of instruments of international criminal law and justice. All International Criminal Court related activities and initiatives, including: delegate to all meetings; drafting Italian implementing legislation of the Rome Statute and of its APIC; all actions in the European Union (e.g., 2001 Common Position; 2003 Chair of COJUR-ICC; Action Plan; technical cooperation on accession of Japan; EU expert on implementation; EU-ICC Focal Point for Italy). Since 1999, also advise the Ministry of Foreign Affairs Political Direction on Arms Control, Terrorism and Corruption, for crime prevention purposes.

1998-2002: Judge, Military Tribunal for sentence enforcement, Rome

Supervision of the enforcement of sentences (detention regime and application of benefits and measures under the Penitentiary Law), including for life imprisonment sentences for war crimes committed in 1944.

1992-1998: Judge, Military Tribunal, Verona

Pre-Trial judge: management of the Office and adjudication of offences under the Military Penal Law; supervision of investigations on military crimes in the North – East of Italy, including on war crimes committed in 1944; confirmation of charges, sentences and acquittals. Also attached to other judicial offices as Trial Judge (Verona, Torino, La Spezia and Bari; Appeals Court of Verona).

1989-1992: Deputy Prosecutor, Palmi (Reggio Calabria)

In the most challenging conditions, investigations and prosecution of the most serious crimes affecting an area of high criminal density. In a number of complex and high-profile cases against organized crime (mainly Mafia organizations): criminal proceedings, financial preventive measures, protected witnesses (*pentiti*), and leading Police. Prosecution in Tribunal, Assize and Appeals Courts. Mandated for the non-judicial functions relevant to the organisation and the efficiency of the Office of the Prosecutor, including for measures on: management of human and other resources and tools of the Office; directives and other internal organizational guidelines; directives to the Police forces; adoption of special investigative techniques.

1988-1989: Prosecutor and Judge (trial period), Military Tribunal, Rome

Trial period, assisting the Military Prosecutor in investigations and prosecutions, as well as attending the hearings and drafting decisions and judgments for the President of the Tribunal.

1985-1988: Counsellor at the Treasury, Rome

At the State General Accounting Department (General Auditor's Office), control of regional laws against Italian Constitution, providing advice to the office of the Prime Minister; auditing of the National Budget.

Other relevant professional experience

- Chairman of the Oversight Committee established by the Assembly of States Parties of the ICC on the project for the permanent premises of the Court (2011 to present); Vice-Chairman in 2010
- Chairman of the Budget Committee of the Permanent Court of Arbitration (2012)
- Chairman of the Working Group for the establishment of the Financial Regulations and Rules of the Permanent Court of Arbitration (2011)
- Organizer and President of the Turin Conference on International Criminal Justice (Torino, 14-18 May 2007), on the practice and case-law in international criminal justice, in preparation of the Review Conference of the Rome Statute. Attended by all Internationalized Tribunals, some 500 participants and 95 States (<http://www.torinoconference.com>. Also, ICC-ASP/6/INF-2 and Add.1)
- Organizer and coordinator of the Round Table on International Criminal Justice: role, future and opportunities (Turin, 20 October 2005)
- Delegate of Italy to international Conferences and intergovernmental Organizations on issues related to international criminal law and international humanitarian law, e.g.:
- International Criminal Court, including the 1998 Rome Diplomatic Conference; all the 10 sessions of the Preparatory Committee for the adoption of the implementing instruments of the Statute (1999-2002); a number of intersessionals, seminars and other events (1997-2006); all the Assembly of States Parties meetings (2002-2012); Hague Working Group of the Bureau of the Assembly of States Parties; Study Group on Governance.
- UN Convention on Transnational Organized Crime and Firearms Protocol thereto (Vienna, 1999-2001)
- UN Convention against Corruption. Negotiations at the *Ad hoc* Committee (Vienna, 2002-2003) and for the Merida signing Conference
- Council of Europe Convention on the Prevention of Terrorism (Strasbourg, 2005) and Protocol Amending the European Convention on the Suppression of Terrorism (Strasbourg, 2003)

- Council of Europe: PC-PW, protection of witnesses and collaborators of justice (2004-2005); PC-TI, special investigative techniques (2004-2005); CAHAR, legal aspects of territorial asylum, refugees and stateless persons (2005); DH-DEV, development of Human Rights (1998-2007); DH-PR, amelioration of the procedures for the protection of Human Rights (2000); CODEXTER, Experts on terrorism (2003-2008, Bureau member); DH-S-TER, terrorism (2000); GMT, multidisciplinary group on terrorism (2001-2002); PX-RX, racism and xenophobia (2002)
- European Union Council: COJUR, public international law experts; CIVCOM, Rule of Law in the Crisis Management
- National Commissions on IHL (Bruxelles 2000; Budapest, 2001; Geneva, 2002)
- Expert at UNODC on the illicit manufacturing of and trafficking in explosives by criminals and their use for criminal purposes, for of the possible elaboration of an international instrument thereon (2000)
- Consultant for UNICRI (United Nations Interregional Crime and Justice Research Institute), on “Strengthening International Cooperation to Combat Illicit Trafficking and Criminal Use of CBRN substances and Weapons” (2005). Scientific Adviser for all the International Criminal Justice Projects, including the publication of the “ICTY Manual on Developed Practices” (2008-2009) and the Legacy Projects of ICTY (Training and e-learning Portal, and Manual for the Defence - 2010-2011), as well as the Manual of ICTR practices (2010-2011) and other ICC related projects
- Member (1999-2006) of 11 National Commissions or Working Groups for the ratification and the implementation of instruments on international criminal law (ICC, Extradition and mutual legal assistance, IHL, Transnational Organized Crime, Cyber-Crime, Terrorism, Corruption)
- Advisor, in the Advisory Council of the Global Institute for the Prevention of Aggression

Presentations on international criminal law and the Rule of Law

- Conference on the International Criminal Court (Manila, 25-26 September 2008)
- Conference on International Criminal Justice (Turin, 14-18 May 2007)
- Seminar, Italo-Egyptian on international terrorism (Rome - IAI, 12 September 2006)
- Round Table on International Criminal Justice (Turin, 20 October 2005)
- Consultation, EU-Japan on the ICC (Tokyo, December 2004)
- Conference on the protection of cultural property in armed conflicts (Catania, October 2004)
- Conference on war crimes (Milan, May 2004)
- Seminar on criminal justice in civilian management of crisis (Madrid, May 2004)
- Conference on international cooperation against terrorism (Trento, May 2004)
- Conference on the European Union support to the ICC (Naples, September 2003)
- Conference on the Italian implementation on the ICC Statute (Rome - Capitol, July 2003)
- Symposium on the Rule of Law in Afghanistan (Washington, February 2003)
- Conference on the ICC (Turin - LINCS, November 2002)
- Conference on the ratification of the ICC Statute in Mediterranean Countries (Sevilla, February 2002)
- Conference on the ratification of the ICC Statute (Rome, May 2000)

- Training on international criminal law for judges and prosecutors (Rome – Higher Council for the Judiciary, February 2000)
- Seminar on international humanitarian law (Rome - IASD, January 2000)
- Seminar on international criminal justice (Turin - SIOI, March 1997)

Languages

Italian: Mother tongue

English: Fluent

French: Fluent

Publications

Books

- *International Criminal Justice: Law and Practice from the Rome Statute to its Review* (Farnham: Ashgate, 2010), pp. 702,
- *The Code of International Conventions and Italian legislation on Terrorism* – Italian (“Codice delle Convenzioni internazionale e della legislazione italiana sul terrorismo”) - (Roma: Istituto Poligrafico dello Stato and Editoriale Scientifica, 2003), pp. 1185,
- *Conference on International Criminal Justice*, proceedings and acts - English, French, Italian, pp. 358 (Torino: AGAT, 2008),
- *The Administration of the International Criminal Court* – Italian (“L’amministrazione della Corte Penale Internazionale”), series *Questioni contemporanee n. 22* – (Napoli: Editoriale Scientifica, 2006), pp. 94,

Articles

- “Overview of the International Criminal Court”, in *International Conference on the International Criminal Court* (Manila, 2008), pp. 9-23,
- “Offences against the administration of International Justice” in *The International Criminal Court* – Italian (“I reati contro l’amministrazione della giustizia internazionale”, in *La Corte penale internazionale*) – (Milano: Giuffrè, 2006), pp. 1261-1324,
- “The Rome Statute and the Italian Constitution”, in *The International Criminal Court* – Italian (“Lo Statuto di Roma e la Costituzione italiana”, in *La Corte penale internazionale*) – (Milano: Giuffrè, 2006), pp. 1597-1647,
- “A Council of Europe perspective on the fight against terrorism”, in *International Cooperation in Counter-terrorism: The United Nations and Regional Organizations in the Fight Against Terrorism*, ed. by G. Nesi, (Farnham: Ashgate, 2006), pp. 141-148,
- “Italian implementation of the Rome Statute and related constitutional issues” in *States’ responses to the International Criminal Court* by Roy S. Lee (Ardsey: Transnational Publishers, 2005), pp. 215-245,
- “Adaptation of the Italian legal order to the ICC Statute”, in *Diritto Penale e Processo*, n. 10/2003 – Italian (“Come adattare l’ordinamento giuridico italiano allo Statuto della Corte penale internazionale: lo stato dei lavori”), pp. 1299-1304,
- “The Work of the Preparatory Commission of the International Criminal Court”, in *The Global Community, Yearbook of International Law and Jurisprudence* (Oceana Publications: New York, 2002), pp. 1454-1459,

- “The Protocol No. 13 additional to the European Convention on Human Rights”, in *The Global Community, Yearbook of International Law and Jurisprudence* (Oceana Publications: New York, 2002), pp.1481-1482,
- “The Firearms Protocol additional to the Palermo Convention on Transnational Organised Crime”, in *The Global Community, Yearbook of International Law and Jurisprudence* (Oceana Publications: New York, 2002), 1494-1498,
- “The establishment of the International Criminal Court” in *The Global Community, Yearbook of International Law and Jurisprudence*, 812 (Oceana Publications: New York, 2001), pp. 812-819,
- “Shortcomings in the Interforce Investigative Unit” -Italian (“Le molte debolezze dell’unità investigativa interforze”), *Italia Oggi* (newspaper), 25 September 1991, p. 1,
- “No alternatives to mega-trials against Organized crime” – Italian (“Contro la delinquenza organizzata non c’è alternativa ai maxi - processi”), *Italia Oggi* (newspaper), 5 October 1991, p. 1,
- “*Shadows in the Bill*” (“Le zone d’ombra del provvedimento”), *Italia Oggi* (newspaper), 3 February 1992, p. 24,
- “Retirement age-limits for Judges and Prosecutors: a controversial Decree” (“Età pensionabile dei magistrati: un decreto che fa discutere”), *Italia Oggi* (newspaper), 3 March 1992, p. 1.

Other scientific contributions

- “Illicit Trafficking and Criminal Use of CBRN Materials and Weapons: an Analysis of the New Members of the European Union and their Neighbouring Countries” (UNICRI: Torino, 2005);
- “ICTY Manual on Developed Practices” (UNICRI: Torino, 2009), pp. 228;
- “Manual on International Criminal Defence – ADC-ICTY Developed Practices” (UNICRI: Torino, 2011), pp. 231.
