

## Professor Paola Gaeta Publications (2024)

<p>Authored/co-authored books</p>	<p>Gaeta P, Vinuales J, Zappalà S, <i>Cassese's International Law</i>, 3<sup>rd</sup> ed, Oxford: University Press, 2020</p> <p>Cassese A, Gaeta P, <i>Cassese's International Criminal Law</i>, 3<sup>rd</sup> ed, Oxford: Oxford University Press, 2013</p> <p>Cassese A, Gaeta P, <i>Le sfide attuali del diritto internazionale</i> ('Current Challenges of International Law'), Bologna: Il Mulino, 2008</p> <p>Gaeta P, <i>La giustizia cautelare nel diritto internazionale</i> ('Interim measures of protection by courts and tribunals in international law'), Padova: Cedam, 2000</p>
<p>Edited volumes</p>	<p>Clapham A, Gaeta P, Sassoli M (eds), <i>The 1949 Geneva Conventions: A Commentary</i>, Oxford: Oxford University Press, 2015 - Winner of the ASIL 2017 Certificate of Merit in Technical Craftsmanship</p> <p>Clapham A, Gaeta P (eds), <i>The Oxford Handbook of International Law in Armed Conflict</i>, Oxford: Oxford University Press, 2014</p> <p>Gaeta P (ed), <i>The UN Genocide Convention. A Commentary</i> (Oxford: Oxford University Press, 2009)</p> <p>Gaeta P, Zappalà S (eds), <i>A. Cassese. The Human Dimension of International Law – Selected Papers</i>, Oxford: Oxford University Press, 2008 [539 pp.]</p> <p>Gaeta P (ed), <i>Antonio Cassese, Il sogno dei diritti umani</i> ('The dream of human rights'), Milano, Feltrinelli, 2008 [220 pp.], with an introduction by Antonio Tabucchi</p> <p>Cassese A, Gaeta P, Jones JRWD (eds), <i>The Rome Statute of the International Criminal Court. A Commentary</i>, 3 vols., Oxford: Oxford University Press, 2002</p> <p>Gaeta P (ed): <i>A. Cassese: Diritto internazionale</i>, Bologna, Il Mulino, 2013 [432 pp.] (translator and editor of A. Cassese, <i>International Law</i>, Oxford: Oxford University Press, 2005, 2<sup>nd</sup> edition)</p>
<p>Translations and Italian Editions</p>	<p>Gaeta P: <i>A. Cassese: Lineamenti di diritto internazionale penale, Vol. II- Diritto processuale</i>, Bologna: Il Mulino, 2006 [162 pp.] (translator A. Cassese, chapters from <i>International Criminal Law</i>, Oxford: Oxford University Press )</p> <p>Gaeta P: <i>A. Cassese. Diritto internazionale. Vol. II - Problemi della comunità internazionale</i>, Bologna: Il Mulino, 2004 [248 pp.] (translator and editor</p>

	<p>of A. Cassese, chapters from <i>International Law</i>, Oxford: Oxford University Press )</p> <p>Gaeta P: A. Cassese. <i>Diritto internazionale. Vol. I - I lineamenti</i> , Bologna: Il Mulino, 2003 [370 pp] (translator and editor of A. Cassese, chapters from <i>International Law</i>, Oxford: Oxford University Press)</p> <p>Gaeta P, Bo M (eds), <i>Autonomous Weapons and War Crimes</i> – Special Issue of the <i>Journal of International Criminal Justice</i>, 2023 – issue n. 5</p> <p>Gaeta P (guest ed), <i>The Human Dimension of International Law</i> - Symposium of the <i>European Journal of International Law</i>, 2010, issue no. 1 [55 pp.]</p> <p>Gaeta P (ed), <i>The ICJ Judgement on Genocide: A Missed Opportunity?</i> - Guest Editor of the Symposium of the <i>Journal of International Criminal Justice</i>, 2007, issue no. 5</p> <p>Gaeta P, Jessberger F (eds), <i>Criminal Response to Terrorism after 11/09</i> - Special Issue of the <i>Journal of International Criminal Justice</i>, 2006, issue no. 5</p> <p>Gaeta P (ed), <i>Genocide in Rwanda: Ten Years On</i> - Special Issue of the <i>Journal of International Criminal Justice</i>, 2005, issue no. 4</p>
<p>Contribution to volumes/book chapters</p>	<p>Gaeta P, 'International Criminal Law', in M. Evans (ed) <i>International Law</i> (Oxford: Oxford University Press, 2024, 6<sup>th</sup> ed) forthcoming</p> <p>Gaeta P and Jain A, 'The Individualisation of IHL Rules through Criminalisation for War Crimes: Some (un)intended Consequences', in J. Welsh, D. Akande and D. Rodin (eds), <i>The Individualization of War</i> (Oxford: Oxford University Press, 2023) 163–186</p> <p>Gaeta P, 'Conclusions générales', in Julian Fernandez et Olivier de Frouville (ed.), <i>L'hirondelle et la tortue - Quatrièmes journées de la justice pénale internationale</i> (Paris : Pedone, 2020) 139–142</p> <p>Gaeta P, Labuda P, 'Bilan de quinze premières années de la Cour pénale internationale, in Fernandez J, Ubeda-Saillard M, Pacreau X (eds.), <i>Statut de Rome de la Cour pénale internationale commentaire articles par articles</i> (Paris : Pedone, 2019) 299–321</p> <p>Gaeta P, 'La concurrence du juge international', in M. Ubeda Saillard et als (eds), <i>La souveraineté pénale de l'Etat au XXIe siècle : Colloque de Lille</i> (Paris : Pedone, 2018) 147–160</p> <p>Gaeta P, 'Measures for Strengthening the Effectiveness of International Legal Principles Concerning Universal Jurisdiction', in Haldemann F, Unger T, <i>The United Nations Principles to Combat Impunity: A Commentary</i> (Oxford: Oxford University Press 2018) 226-241</p>

Clapham A, Gaeta P, 'Torture by Private Actors and "Gold-Plating" the Offence in National Law. An Exchange of Emails in Honour of William Schabas', in deGuzman M and Amann DM (eds), *Arcs of Global Justice. Essays in Honour of William A. Schabas* (Oxford: Oxford University Press, 2018) 287-295

Gaeta P, Labuda P, 'Trying Sitting Heads of State : the African Union versus the ICC in the Al Bashir and Kenyatta Cases', in Abass A, Bantekas I, Jalloh C (eds), *International Criminal Court and Africa* (Oxford: Oxford University Press, 2017) 138-162

Gaeta P, 'Head of State Immunity as a Bar to Arrest', in Steinberg RH (ed), *Contemporary issues facing the International Criminal Court* (Leiden: Nijhoff, 2016) 84-98

Gaeta and Traorè B, 'Article 1 : Portée de la Convention de Vienne sur la Succession d'Etats en matière de traites', in Distefano G, Gaggioli G, Hêche A (eds), *La Convention de Vienne sur la Succession d'Etats en matière de traites. Commentaire article par article et études thématiques* (Bruxelles: Bruylant, 2016) 62-84

Gaeta P, 'Grave Breaches of the 1949 Geneva Conventions', in Clapham A, Gaeta P, Sassòli M (eds), *The 1949 Geneva Conventions. A Commentary* (Oxford: Oxford University Press, 2015) 615-646

Gaeta P, 'The interplay between the Geneva Conventions and International Criminal Law', Clapham A, Gaeta P, Sassòli M (eds), *The 1949 Geneva Conventions. A Commentary* (Oxford: Oxford University Press, 2015) 737-756

Gaeta P, 'War Crimes and Other International "Core" Crimes', in Clapham A, Gaeta P (eds), *The Oxford Handbook of International Law in Armed Conflict* (Oxford: Oxford University Press, 2014) 737-765

Gaeta P, 'Trials in Absentia Before the Special Tribunal for Lebanon', in Alamuddin A, Nabil Jurdi N, Tolbert D (eds), *The Special Tribunal for Lebanon Law and Practice* (Oxford: Oxford University Press, 2014) 229-250

Gaeta P, 'Le donne e l'esperienza del disumano di fronte alla giustizia penale internazionale' (*Women Facing Inhumanity and International Criminal Justice*), in Forti G, Mazzucato C, Visconti A (eds) (Milano: Vita e Pensiero, 2014) 458-470

Gaeta P, 'Serious Violations of the Law on the Conduct of Hostilities: a Neglected Class of War Crimes?', in Pocar F, Pedrazzi M, Frulli M (eds), *War Crimes and the Conduct of Hostilities* (London: Elgar, 2013) 30-27

Gaeta P, Cadler L, 'The Impact of Arrest Warrants Issued by International Criminal Courts on Peace Negotiations', in Boisson de Chazournes L,

Kohen M, Vinuales J (eds), *Diplomatic and Judicial Means of Dispute Settlement* (Nijhoff: Leiden/Boston, 2013), pp. 47-57

Gaeta P, 'Les premiers pas de la Cour Pénale Internationale': in Fernandez J, Pacreau X (eds), *Statut de la Cour pénale internationale. Commentaire article par article* (Paris : Pedone, 2012) 195-211

Gaeta P, 'The Need to Reasonably Expand National Criminal Jurisdiction Over International Crimes', in Cassese A (ed), in *Realizing Utopia. The Future of International Law* (Oxford: Oxford University Press, 2012) 597-606

Gaeta P, 'Immunity of States and State Officials: A Major Stumbling Block to Judicial Scrutiny?', in Cassese A (ed), *Realizing Utopia. The Future of International Law* (Oxford: Oxford University Press, 2012) 28-238

Gaeta P, 'Are Victims of Serious Violations of International Humanitarian Law Entitled to Compensation?' in Ben Naftali O (ed.), *International Humanitarian law and International Human Rights Law*, Collected Courses of the Academy of European Law (Oxford: Oxford University Press, 2011) 305-327

Gaeta P, Scalia D, 'Violence d'Etat : quelle réponse viable pour les victimes de crimes de masse au niveau international', in Emmanuel MK (ed.), in *Violences politiques et santé : causes, enjeux, conséquences et défis* (Chêne-Bourg : Ed. Medicine et hygiène:2011) 325-338

Gaeta P, 'The History and Evolution of the Notion of International Crimes', in Bellelli R (ed), *International Criminal Justice: Law and Practice from the Rome Statute to Its Review* (Burlington, VT [etc.] : Ashgate, 2010) 169-180

Gaeta P, 'Genocide', in Schabas WA, Bernaz N (eds), *Routledge Handbook of International Criminal Law* (London [etc.] : Routledge, 2010) 109-120

Gaeta P, 'International Criminal Law', in Cali B, *International Criminal Law for International Relations* (Oxford : Oxford University Press, 2010), 258-280

Gaeta P, 'Grave breach of a peremptory obligation owed to the international community: the character of the breach', in Crawford J et als (eds), *The Law of International Responsibility* (Oxford: Oxford University Press, 2010) 421-426

Gaeta P, 'International Criminalization of Prohibited Conducts', in Cassese A (ed.), *The Oxford Companion of International Criminal Justice* (Oxford, Oxford University Press, 2009) 63-74

Gaeta P, 'Immunities and Genocide', in Gaeta P (ed.), *The UN Genocide Convention. A Commentary* (Oxford: Oxford University Press, 2009) 310-333

Gaeta P, 'La repressione penale dei crimini internazionali. Problemi e prospettive' (*Criminal Repression of International Crimes. Problems and Prospects*), in Calloni M (ed), *Violenza senza legge. Genocidi e crimini di guerra nell'età globale* (Torino: Utet, 2006) 143-156

Gaeta P, 'Un'analisi dell'applicazione dei principi di territorialità e nazionalità attiva' (*The Application of Territoriality and Active Nationality Principles*), in Cassese A, Chiavario M, De Francesco G (eds), *Problemi attuali della giustizia penale internazionale* (Giappicchelli: Torino, 2005) 513-548

Gaeta P, 'Il diritto internazionale e la competenza giurisdizionale degli Stati per crimini internazionali' (*International Law and State Jurisdiction over International Crimes*), in Cassese A, Chiavario M, De Francesco G (eds), *Problemi attuali della giustizia penale internazionale* (Giappicchelli; Torino, 2005) 497-512

Gaeta P, 'National Prosecution of International Crimes: International Rules on Grounds of Jurisdiction', in AA. VV., *Studi di diritto internazionale in onore di Gaetano Arangio-Ruiz* (Napoli: Editoriale Scientifica, 2004) 1923-1943

Gaeta P, 'Inherent Powers of International Courts and Tribunals', in Vorah LC et al (eds), *Man's Inhumanity to Man. Essays in Honour of Antonio Cassese* (The Hague: Kluwer, 2003) 353-372

Gaeta P, 'Official Capacity and Immunities', in Cassese A, Gaeta P, Jones JRWD (eds), *The Rome Statute of the International Criminal Court. A Commentary*, Oxford, Oxford University Press, 2002, vol. I, pp. 975-1002

Gaeta P, 'Les règles internationales sur les critères de compétence des juges nationaux', in Cassese A, Delmas-Marty M (eds), *Crimes internationaux et juridictions internationales* (Paris: PUF, 2002) 191-213 (*the whole book has been translated into Spanish by Horacio Pons and published by Grupo Editorial Norma, 2004*)

Gaeta P, 'War Crimes Trials before the Italian Criminal Courts: New Trends', in Fischer H, Kress C, Lüder SR (eds), *Current Developments on the Prosecution of Crimes under International and National Level* (Berlin: Verlag, 2001) 751-768

#### Encyclopedia entries

Gaeta P, 'International Criminal Court', Elgar Encyclopedia of Crime and Criminal Justice (2024)

Gaeta P, 'International Criminal Court', Elgar Encyclopedia of Crime and Criminal Justice (2024)

Journals' articles and comments

Gaeta P, 'Tribunali penali internazionali ad hoc' (*Ad Hoc International Criminal Tribunals*), in Flores M (ed.), *Dizionario dei diritti umani* (Torino: Utet, 2007) 1304-1307

Gaeta P, 'Tortura' (Torture), in Flores M (ed.), *Dizionario dei diritti umani*, Torino, Utet, 2007 Vol.II, pp. 1282-129023)

Gaeta P, 'Crimini internazionali' (*International Crimes*), in Cassese S (ed.), *Dizionario di diritto pubblico* (Milano, Giuffr : 2006) 1688-1701

Gaeta P, 'Corte penale internazionale' (*The International Criminal Court*), in Cassese S (ed.), *Dizionario di diritto pubblico* (Milano: Giuffr , 2006) 1616-1630

Gaeta P, 'Who Acts When Autonomous Weapons Strike? The Act Requirement for Individual Criminal Responsibility and State Responsibility', in *Autonomous Weapon Systems and War Crimes: Special Issue*, 5 *Journal of International Criminal Justice* (2023) 1033-1055

Gaeta P, 'Another step in what it means to be human: prohibition v. criminalization of torture as a private act', in 19 *Journal of International Criminal Justice* (2021) 425-438

Gaeta P, 'The Super-Normativity of International Criminal Law', in AJIL Unbound, 114 *American Journal of International Law* (2020) 82 - 86

Gaeta P., 'Extraordinary Renditions e giurisdizione italiana nei confronti degli agenti statunitensi coinvolti nel caso Abu Omar' (*Extraordinary Renditions and Italian Criminal Jurisdiction over US agents involved in the Abu Omar case*), in 2 *Rivista di diritto internazionale* (2013) 530-537

Gaeta P, 'Does President Al Bashir Enjoy Immunity from Arrest?', in 7 *Journal of International Criminal Justice* (2009) 315-332

Gaeta P, 'When is the Involvement of State Officials a Requirement for the Crime of Torture?', in 6 *Journal of International Criminal Justice* (2008) 183-193

Gaeta P, 'To Be (Present) or Not To Be (Present) : Trials in Absentia Before the Special Tribunal for Lebanon', in 5 *Journal of International Criminal Justice* (2007) 1165-1174

Gaeta P, 'On What Conditions Can a State Be Responsible for Genocide?', in 18 *European Journal of International Law* (2007) 631-648

Gaeta P, 'G nocide d'Etat et responsabilit  p nale individuelle', in *Revue g n rale de droit international public* (2007) 273-284

Gaeta P, 'Extraordinary renditions e immunit  dalla giurisdizione penale degli agenti di Stati esteri: il caso Abu Omar' (*Extraordinary Renditions and Immunities from Criminal Jurisdiction of Foreign State Organs: the Abu Omar Case*), in *Rivista di diritto internazionale* (2006)126-131

- Gaeta P, 'Is the Practice of 'Self-Referrals' a Sound Start for the ICC?', in 2 *Journal of International Criminal Justice* (2004) 949-952
- Gaeta P, 'May Necessity Be Available as a Defence for Torture in the Interrogation of Suspected Terrorists?', in 2 *Journal of International Criminal Justice* (2004) 785-794
- Gaeta P, 'The Judgement of the Appeals Chamber of the ICTR in *Bagilishema*: A Commentary', in A. Klip, G. Sluiter (eds), *Annotated Leadings Cases of International Criminal Tribunals: the ICTR*, vol X (2001-2002) 1021-1027
- Gaeta P, 'L'incidenza dello Statuto di Roma sulle norme costituzionali in materia di immunità' (*The Impact of the Rome Statute on the Constitutional Rules on Immunities*), in *Rivista di diritto comparato ed europeo* (2000-II) 594-605
- Gaeta P, 'The Defence of Obedience of Superior Orders: the Statute of the International Criminal court *versus* Customary International Law', in 18 *European Journal of International Law* (1998) 172-191
- Gaeta P, 'La rilevanza dell'ordine superiore nel diritto internazionale penale' (*The Relevance of Obedience to Superior Order in International Criminal Law*), in *Rivista di diritto internazionale* (1998) 69-85
- Gaeta P, 'Is NATO authorized or Obligated to arrest Persons Indicted by the International Criminal Tribunal for the former Yugoslavia?', in *European Journal of International Law* (1998)174-181
- Gaeta P, 'I provvedimenti cautelari nel sistema europeo di protezione dei diritti dell'uomo' (*Interim Measures of Protection in the European System of Human Rights*), in *Rivista di diritto internazionale* (1996) 34-70
- Gaeta P, 'The Dayton Agreements and International Law', in *European Journal of International Law* (1996)147-163
- Gaeta P, 'Estradizione e diritti fondamentali nel caso *Venezia*' (*Extradition and Fundamental Rights in the Venezia Case*), in *Cassazione penale* (1996) 3551-3561
- Gaeta P, 'The Armed Conflict in Chechnya before the Russian Constitutional Court', in 7 *European Journal of International Law* (1996) 563-570
- Gaeta P, 'Cancellazione dal ruolo e trattamenti disumani e degradanti: il caso *Hurtado* davanti alla Corte europea dei diritti dell'uomo' (*Striking a Case Off the List and Inhumane and Degrading Treatment: the Hurtado Case before the European Court of Human Rights*), in *Rivista di diritto internazionale* (1995)149-167

Podcast series

Gaeta P (co-host), *Antonio Cassese: The Stubborn Sparrow*, Podcast series of the some of the main contribution of Antonio Cassese to international law (5 episodes)

Gaeta P (main co-host), *Lethal Autonomous Weapons: 10 Things We Want To Know*, Podcast series on some problematic issues related to lethal autonomous weapons from a multidisciplinary perspective (10 episodes)

Gaeta P (co-host), *In and Around War* – two seasons, 9 episodes, Podcast series contemporary legal issues related to war

Gaeta P (co-host), *Georges Abi-Saab: A Life in International Law*, single episode, Podcast on Professor Abi-Saab's unique approach to the study and practice of international law

Miscellanea

Gaeta P, *International Criminal Law*, Mini Series, UN Audio Visual Library

Gaeta P, 'Les crimes au Xinjiang et les possibilités de la justice internationale', *Le Temps*, 12 julliet 2021

Gaeta P, 'Antonio Cassese' (*Obituary*), in *Rivista di diritto internazionale* (2012)120-150

Gaeta P, 'The Obligations of Contracting Parties to the *Genocide Convention* To Implement Arrest Warrants for Genocide Issued by the ICC, and of African Union State Parties To Implement ICC Arrest Warrants Generally', *Report published on the website of the UCLA, School of Law*, <<http://uclalawforum.com/darfur>>