

In Memoriam: Flavia Lattanzi, Professor of International Law and Judge

On August 15, 2026, Flavia Lattanzi passed away at the age of 85. An international legal scholar, she broadened the horizons of international law for generations of academics and practitioners, serving as both an example and a guide to those —myself included— who had the privilege of knowing her.

The trauma of World War II experienced in early childhood—including her time as a survivor of British internment camps in the Horn of Africa— helped forge a character marked by extraordinary resolve and determination, yet also by a capacity to listen and a generosity of spirit that made her truly unique.

The scholarly rigor of her approach to international law made her a mentor capable of deeply analyzing the most critical aspects of real-world issues, while remaining steadfast in her commitment to the fundamental human rights principles embraced by the international community over the past eight decades. These principles inspired much of her work, notably her monumental 1983 monograph “*Garanzie dei Diritti dell’Uomo nel Diritto Internazionale Generale*” (*Human Rights Protection in General/Customary International Law*) and her equally significant 1997 book “*Assistenza umanitaria e intervento d’umanità*” (*Humanitarian Assistance and Humanitarian Intervention*).

To understand just how significant Flavia Lattanzi was to those seeking a career in international law, allow me to share a few personal recollections.

Although I had met her while preparing my graduate thesis between 1993 and 1994, it was her participation in the “*Arusha School on International Criminal Law, International Humanitarian Law and Human Rights*” in June 1996 that profoundly shaped my academic and research path. I was organizing that project in Africa—launched alongside the UN International Criminal Tribunal for Rwanda— on behalf of two international student associations and a Belgian lawyers' NGO; I facilitated the proceedings by linking various roundtables featuring academics, Tribunal representatives, and other experts. For a full week, Flavia Lattanzi gave presentations of exceptional scholarly quality and emotional passion, as the session was taking place just two years after the Rwandan genocide. She never shied away from answering questions posed by the students, a cohort of young jurists from Africa and Europe, even regarding the most controversial and political topics that most legal scholars would typically avoid, doing so with a natural ease and spontaneity, always accompanied by scientific rigor. At the end of that truly intense week—and despite the fact that my views did not always align with hers— she firmly urged me to pursue an academic career, identifying my knowledge gaps and recommending specific readings and further

study to bridge them. It worked. I imagine many of her other students share similar memories—the kind that define a true mentor.

Flavia Lattanzi leaves behind a legacy of works and contributions that remain as relevant today as they were when she first produced them.

In 2014, she accepted a request from the Italian group of Parliamentarians for Global Action (PGA) —an NGO with which I collaborated over many years— to present a report to Parliament on the role of international law in international relations within conflict scenarios, specifically regarding Ukraine and Syria. The observations she made at the time, which are available online (www.youtube.com/watch?v=U8EvaGYOB4w), remain entirely valid today, given the dramatic consequences we can all witness.

On behalf of the Carlo Donat-Cattin Foundation, she enthusiastically accepted my invitation to speak at a panel discussion on February 24, 2023 —marking one year since the Russian Federation's full-scale invasion of Ukraine (www.youtube.com/watch?v=_Hqzaq9r5l8). Her insights regarding *jus ad bellum* and *jus in bello*, as well as the role of international criminal justice concerning the crime of aggression, remain illuminating today as we face the "piecemeal Third World War" that Pope Francis has been warning about since 2014.

Thanks to the audio-video recordings of these events —and the many others to which Professor Lattanzi made an indelible contribution (an Italian Radio's archive alone holds 83 recordings of her interventions: www.radioradicale.it/soggetti/43802/flavia-lattanzi)— new generations of scholars in law and international relations will be able to continue drawing upon her ideas.

This is even more true regarding her written works. I wish to mention here just two of them, given that Flavia Lattanzi's CV is of such an exceptional quality that any efforts to summarize it would not make justice of it.

In 1993, in an article titled '*Riflessioni sulla competenze di una corte penale internazionale*' (*Reflections on the Jurisdiction of an International Criminal Court*) published in the '*Rivista di Diritto Internazionale*', Flavia Lattanzi was the first in the field of international legal scholarship to articulate the principle of complementarity intended to govern the relationship between the exercise of jurisdiction of a future International Criminal Court (ICC) and the criminal jurisdiction of States. Although the UN International Law Commission's 1994 Draft Statute only partially incorporated her ideas, the 1998 Rome Statute —drawing on an agreement reached the previous year within the Preparatory Committee in New York— embodied a diplomatic compromise that Lattanzi had already envisioned five years earlier through her meticulous research, which combined a comparative analysis of precedents with an assessment of States' pre-existing obligations.

Elected as an *Ad Litem* Judge to the *Ad Hoc* Tribunals for Rwanda and the former Yugoslavia by an overwhelming majority of votes in the UN General Assembly, Flavia Lattanzi made a truly significant contribution to the jurisprudence on the *delicta juris gentium* between 2003 and 2016. Notably, after serving as the influential "fourth judge" on the bench for the historic 'mega-trial' of Radovan Karadžić—which ended in a life sentence for genocide, war crimes, and crimes against humanity— Judge Lattanzi penned a dissenting opinion in the high-profile Šešelj case (in which the defendant had been acquitted at trial on grounds that were essentially political). Her opinion was so legally and factually persuasive that the ICTY Appeals Chamber, for the first time, convicted an accused on appeal without ordering a retrial. But take note: for anyone who had read the dissenting opinion, there was no surprise, because the strength of the arguments she had set forth in that document left no other option on appeal. As the specialist news outlet most widely read by Hague insiders wrote when commenting on the acquittal at first instance: *'One of the three judges, Flavia Lattanzi, issued an unusually strong dissenting opinion, saying she felt she was thrown back to a period in human history "when there was no law in times of war"'*. (See <https://www.justiceinfo.net/en/26718-week-in-review-surprise-icty-acquittal-upsets-a-pattern.html>).

Flavia Lattanzi taught us that there are no shortcuts when facing the harsh reality that surrounds us—and of which we are a part, for better or worse, as she often used to say. It is up to us to choose which side to take and what contribution to make toward changing it. In an era when it is imperative to reaffirm the power and authority of the Rule of Law vis-à-vis the law of the jungle, her exemplary guidance will remain with us.

David Donat-Cattin (Rome, August 16, 2026)