



Press Office of the Constitutional Court

Press release of 7 July 2021

THE CONSTITUTIONAL COURT REMEMBERS GIUSEPPE TESAURO: “A MAN OF EXTRAORDINARY CULTURE AND HUMANITY”

“Yesterday night, Giuseppe Tesauero passed away. He was a man of extraordinary culture and humanity and a refined jurist, who placed his talents at the service of our country and represented Italy at the highest levels.

A full professor of international law, Giuseppe Tesauero had been appointed as a constitutional judge by the President of the Republic Carlo Azeglio Ciampi. Before this, he had been an Advocate General at the Court of Justice of the European Union, a role that he performed in the most worthy and authoritative way. His memory at the Court of Justice is still very much alive.

He was also President of the Italian Competition Authority and of the Italian Association of European Jurists. And, especially, he was a judge and President of the Constitutional Court.

In carrying out his role, we all know – the counsel who met him in hearings no less than we constitutional judges – the sheer number of important cases in which he acted as judge rapporteur. I will mention just a few: No. 238 of 2014, which opened the way to proceedings for civil liability, deeming unconstitutional the immunity granted to foreign states in the “unlawful exercise of governmental powers [...] in the case of acts considered war crimes and crimes against humanity, in breach of inviolable human rights.” Number 349 of 2007, one of the famous “twin judgments”, which acknowledges the Legislator’s duty to conform to the European Convention of Human Rights. Number 162 of 2014, which struck down the ban on medically assisted procreation using donor gametes when a disease causing absolute and irreversible sterility or infertility [in the couple] is diagnosed.

On the human level, I and my colleagues who have served on the Constitutional Court during his term remember him as a person of uncommon humanity and extraordinary professionalism.”

With these words, the President of the Constitutional Court Giancarlo Coraggio remembered Giuseppe Tesauero, President Emeritus of the Court, who died last night.

When opening today’s public hearing, the Court observed one minute of silence in memory of its departed colleague, to whom President Coraggio dedicated a fond tribute in the name of the whole Court.

Rome, 7 July 2021