

Curriculum Vitae

Dire Tladi

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Personal

Name and Surname: Dire David Tladi
Family: Married with 2 Children

Academic and Professional Qualifications

- Ph D (Law), Erasmus University Rotterdam » **May 2007**
- Admitted, Advocate of the High Court » **2001**
- LLM, University of Connecticut » **May 2001**
- LLB (*cum laude*), University of Pretoria » **April 1999**
- BLC, University of Pretoria » **April 1996**

Academic Awards and Scholarships

- Principal's Prize for Research, Unisa **2005**
- National Research Foundation **2003, 2004**
- Stichting Studie Fonds (Holland) **2003**
- European Human Rights Law* **2000**
- European Community Law* **2000**
- Fulbright Scholarship **1999**
- Academic Honorary Colours (UP) **1999**
- Human Rights Law** **1998**
- Social Security Law** **1998**
- Jurisprudence** **1998**
- Roman-Dutch Law** **1998**

* CALI Excellence Award for Highest Grade (University of Connecticut School of Law)

** Certificate of Merit for Best Student (University of Pretoria)

Positions Held

(i) Professor of International Law, University of Pretoria
(1 March 2014–Present)

(ii) Special Adviser (part time), Minister of International Relations and Cooperation **(1 August 2014–Present)**

(iii) Member of the UN International Law Commission
(January 2012–Present)

(iv) South African Department of International Relations,
(March 2006–January 2014)

- Principal State Law Advisor (International Law)
- Legal Counsellor, South African Permanent Mission to the United Nations in New York **(Jan 2009–January 2013)**

(v) University of Stellenbosh, Department of Public Law (non–remunerated)
(May 2008–Present)

- Extraordinary Professor

(iv) University of South Africa, Department of Constitutional Law
(May 2002–March 2006)

- Head of Department **(January 2006–March 2006)**
- Associate Professor, International Law **(January 2004–March 2006)**
- Senior Lecture **(May 2002–December 2003)**

(v) University of Pretoria, Department of Legal History, Comparative Law and Legal Philosophy **(January 1997–May 2002)**

- Senior Lecturer **(January 2001–May 2002)**
- Lecturer **(January 1997–December 2000)**

Other Notables Activities

- Member of Legal Team of Experts Advising Mediation Team of former Presidents Chissano (Mozambique), Mbeki (South Africa) and Mogae (Botswana) on the border dispute between Malawi and Tanzania **(May 2013–Present)**

- Consultant for Pew Charitable Trusts on Oceans and the Law of the Sea **(June 2014–Present)**
- Consultant for Institute for Security Studies **(March 2014–January 2015)**
- Member of the Sargasso Commission **(September–Present)**

List of Publications and Research Output

Articles

- “When Elephants Collide it is the Grass that Suffers: Cooperation and the Security Council in the Context of AU/ICC Dynamics” (2014) 7 *African Journal of Legal Studies* 381
- “State Practice and the Making and (Re)Making of International Law: The Case of the Legal Rules Relating to Marine Biodiversity in Areas Beyond National Jurisdiction” (2014) 1 *Journal of State Practice and International Law* 97
- “The Nonconsenting Innocent State: The Problem With Bethlehem’s Principle 12” (2013) 107 *American Journal of International Law* 570
- “The ICC Decisions on Chad and Malawi: On Cooperation, Immunities and Article 98” 2013 *Journal of International Criminal Justice* 199
- “Security Council, the use of force and regime change: Libya and Cote d’Ivoire” (2012) 37 *South African Yearbook of International Law* 22
- “On the Al Qaida/Taliban Sanctions Regime: Due Process and Sun Sets” 2011 10 *Chinese Journal of International Law* 771*
- “Kampala, the International Criminal Court and the Adoption of a Definition for the Crime of Aggression: A Dream Deferred” (2010) 35 *SA Yearbook of International Law* 180*
- “Civil Liability in the Context of the Cartagena Protocol: To Be or Not to Be (Binding)” (2010) 1 *International Environmental Agreements:*

Politics, Law and Economics 15*

- “The African Union and the International Criminal Court: The Battle for the Soul of International Law” 2009 34 *South African Yearbook of International Law* 57*
- “Marine Genetic Resources on the Deep Seabed: The Continuing Search for a Legally Sound Interpretation of UNCLOS” *International Environmental Law-Making and Diplomacy* 2008 65*
- “The Right to Diplomatic Protection, The Von Abo Decision and One Big Can of Worms: Eroding the Clarity of Kaunda” (2009) 1 *Stellenbosch Law Review* 12*
- “Fuel Retailers, Sustainable Development and Integration: A Response to Feris” (2008) 1 *Constitutional Court Review* 255*
- “South African Lawyers, Values and the New Vision of International Law: The Road to Perdition is Paved with Laudable Goals” 2008 33 *South African Yearbook of International Law* 167 *
- “Strict Positivism, Moral Arguments, Human Rights and the Security Council: South Africa and the Myanmar Vote” (2008) 1 *African Human Rights Law Journal* 23*
- “Corporates and the Flexible Mechanisms in the Climate Change Regime: The Privatisation of Sustainable Development?” (2007) 32 *SAYIL* 396*
- “Some Notes on South Africa’s Participation in the Law of the Sea: 2006-2007” (2007) *SA Law Teachers Bulletin*
- “Reflection on Genetic Resources, Benefit Sharing and the Law of the Sea” 2007 *Journal of International Maritime Law* 183*
- “The Act of State Doctrine in South Africa: Has *Kaunda* settled a vexing question?” with P Dlagnekova 2007 22 *SA Public Law* 444*
- “Reflections on the Rule of Law in International Law: The Security Council, International Law and the Limits of Power” (2006) *SAYIL* 231*

- “Will of State, Consent and International Law: Piercing the Veil of Positivism” with P Dlagnekova (2006) *SA Public Law* 111*
- "The Biosafety Protocol and the Promotion of Sustainable Development: With One Hand It Giveth, With The Savings Clause It Taketh" 2006 *Comparative and International Law Journal of Southern Africa* 83*
- “Financing Sustainable Development: The Global Environment Facility” (2006) *SA Law Teachers Bulletin* 25
- "Understanding Kyoto" February 2005 *Without Prejudice* 3 (Letter to the Editor)
- "What Impact on Global Climate Change Will Kyoto's Entry into Force Have?" 2005 *Codicillus* 42
- "Strong Sustainable Development, Weak Sustainable Development and the Earth Charter: Towards a More Nuanced Framework of Analysis" 2004 *South African Journal of Environmental Law and Policy* 17*
- "International Law for Sustainable Development: Somber Reflections on World Bank Efforts" 2004 *South African Yearbook of International Law* *
- "IMF Conditionality, Debt and Poverty: Towards a 'Strong' Anthropocentric Model of Sustainable Development" 2004 *South African Mercantile Law Journal* 31*
- "Strong Sustainability, Weak Sustainability, Intergenerational Equity and International Law: Using the Earth Charter to Redirect the Environmental Ethics Debate" 2003 *South African Yearbook of International Law* 200*
- "Intragenerational Equity: A New Name for International Justice?" 2003 *Fundamina* 197*
- "World Summit on Sustainable Development – Food for Legal Thought?" 2003 *Codicillus* (with Bray and Moodley)
- "One Step Forward, Two Steps Back in the Constitutionalisation of the Common Law: *Afrox Health Care case*" 2002 *South African Public*

Law 473*

- "Of Course for Humans: A Contextual Defense of Intergenerational Equity" 2002 *South African Journal of Environmental Law and Policy* 177*
- "Breathing Constitutional Values into the Law of Contract: Freedom of Contract and the Constitution" 2002 *De Jure* 306*
- "Can the Wolf Protect the Lamb? Trade as an Instrument Towards Sustainable Development" 2002 *South African Yearbook of International Law* 149*
- "The Liability Protocol to the Basel Convention on Transboundary Movement of Hazardous Wastes: An Overview" 2000 *South African Journal of Environmental Law and Policy* 202*
- "The Case Concerning the Vienna Convention on Consular Relations: Reviving the Debate on the Efficacy of the ICJ" 2000 *South African Yearbook of International Law* 232*
- "The Quest to Ban Hazardous Waste Import in Africa: First Bamako and Now Basle" 2000 *Comparative and International Law Journal of Southern Africa* 210*
- "Americans Indians and the US Constitution: Helpful Pointers in a Raging South African Dilemma" 2000 *De Jure* 259*
- "Deconstruction of Myths III" (1999) *Fundamina, Special Edition, Law in Africa Conference* 34
- "Legal Pluralism or a New Repugnancy Clause" (with Ph Thomas) 1999 *Comparative and International Law Journal of Southern Africa* 354*

Books and Chapters in Books

- "Challenges and Opportunities in the Implementation of the Supplementary Protocol: Reinterpretation and Re-imagination" in Akiho Shibata (Ed) *International Liability Regime for Biodiversity Damage* (2014)

- “Oceans Governance: A Fragmented Regulatory Framework” in Pierre Jacquet, Rajendra Pachauri and Laurence Tubiana (Eds) *A Planet for Life 2011 – Oceans* (2011)
- “Sustainable Development, Integration and the Conflation of Values: The *Fuel Retailers case*” in Duncan French (Ed.) *Sustainable Development and Global Justice* (October 2010)
- “Flexible Mechanisms” in V I Grover (Ed.) *Global Warming and Climate Change: Ten Years On Years After Kyoto and Still Counting* (2008)
- *Sustainable Development in International Law: An Analysis of Key Enviro-Economic Instruments* (2007)
- "Environmental Rights" (With Loretta Feris) in Danie Brand and Christoff Heyns (Eds.) *Socio-Economic Rights: Constitutional and International Law* (2005)
- "Breathing Constitutional Values into the Law of Contract: Freedom of Contract and the Constitution" in Bělovsky and Skřejpek (Eds.) *The Roman Law Tradition in Societies in Transition* (2003)

Papers and Lectures

International Conferences marked with *

- “The African and the International Criminal Court” lecture presented to the New York City Bar’s Committee on the International Law, 28 January 2010.
- “Sustainable Development, Integration and the Conflation of Values: The *Fuel Retailers Case*”, Global Justice and Sustainable Development, Sheffield University, UK, 26-27 August 2009
- “Marine Genetic Resources”, UNEP, University of Joensuu, University of Kwazulu Course on Environmental Law-Making and Governance, 7 July 2008*
- “Corporate Entities and the Flexible Mechanisms in the Climate Change Regime: The Privatisation of Sustainable Development?” Paper presented at the International Law Association Regional Conference, South Africa, August 2007*

- "The Biosafety Protocol and the Promotion of Sustainable Development: With One Hand It Giveth, With The Savings Clause It Taketh" Paper presented in July 2005, *Global Ecological Integrity and the Sustainability of Civilization: Hard and Soft Law Perspectives*, Venice, Italy
- "Sustainable Development and the Kyoto Protocol" Workshop presented in June 2005, at the *Environmental Innovation and Rehabilitation: Striving to Become Legally Compliant*, Rosebank, Johannesburg
- "Biosafety Protocol, International Trade and the Savings Clause: Protecting the WTO from International Legal Rules?" paper presented at the January 2005, *Law Teachers of Southern Africa Congress*, Bloemfontein, South Africa
- "The World Bank, International Law and Sustainable Development" paper presented in April 2004 at the *SA Yearbook of International Law Annual Seminar*, UNISA, South Africa
- "Strong Sustainability, Weak Sustainability and the Earth Charter: Towards a More Nuanced Theory in International Law" paper presented in April 2004, Conference on *Global Ethics, Development and the Environment*, Aberdeen, Scotland*
- "Human Rights, the Environment, Sustainable Development and International Law: A South African Response" paper presented in June 2003, Conference on *Global Ecological Integrity, Human Rights and Human Responsibility: Intersections Between International Law and Public Health*, Urbino, Italy*
- "Intragenerational Equity: A New Name for International Justice" paper presented in January 2003, *Legal History Conference: Equality, Freedom and Justice: The Three Pillars of Legal History*, Stellenbosch University, South Africa*
- "Constitutionalising the Common Law of Contract" paper presented in May 2002, *International Conference on the Roman Law Tradition in Societies in Transition*, Charles University, Prague*
- "Exploring the Efficacy of the World Court's Compulsory Jurisdiction" Faculty Lecture, University of Pretoria, May 2002

- "Discrimination under the South African Constitution" Lecture presented to the Employment Equity Committee of Transwerk, Pretoria, November 2000
- "Indigenous Law in South Africa: A Constitutional Crisis?" LLM Colloquium, University of Connecticut Law School, Hartford, USA, November 1999
- "Deconstruction of Myths" paper presented in January 1999, Legal History Conference on *Law in Africa: New Perspectives on Origins, Foundations and Transition*, Pretoria*

Participation In Diplomatic Conferences And Processes

- Represented South Africa at the UN Informal Consultative Process on Oceans and the Law of the Sea, New York **(June 2006, 2007, 2008, 2009)**
- Represented South Africa at the Meeting of States Parties to the UN Convention on the Law of the Sea, New York **(June 2006, 2007, 2008, 2009)**
- Represented South Africa at the meeting of the International Seabed Authority
- Part of South African Delegation to the General Assembly Session, New York **(November 2006)**
- Represented South Africa at the Commonwealth Meeting of Southern African States to Consider Rights of Landlocked States under the Law of the Sea Convention, Pretoria **(February 2007)**
- Represented South Africa at the Commonwealth Meeting of Southern African States to Consider Rights of Landlocked States under the Law of the Sea Convention, Mozambique and Zambia **(February 2007)**
- Represented South Africa at the UN Informal Consultative Process on Oceans and the Law of the Sea, New York **(June 2007)**

- Represented South Africa at the Meeting of States Parties to the UN Convention on the Law of the Sea, New York **(June 2007)**
- Legal Advisor for the South African Delegation during the Ad Hoc Working Group of Legal Experts on Liability and Redress in the Context of the Cartagena Protocol, Montreal **(Nov, 2007)**
- Legal Advisor and Chief Negotiator for the South African Delegation during the Ad Hoc Working Group of Legal Experts on Liability and Redress in the Context of the Cartagena Protocol, Montreal **(March 2008)**
- Served as co-chair of sub-working group during on Liability and Redress meeting, Cartagena **(March 2008)**
- Represented the Africa Group in Friends of the co-chairs meeting during Liability and Redress meeting, Cartagena **(March 2008)**
- Led the delegation of South Africa in the negotiations for the Instrument on the Merger of the African Court on Human and Peoples Rights and the African Court of Justice, Addis **(April 2008)**
- Led the South African delegation at the Ad Hoc Working on Marine Biodiversity in Areas Beyond National Jurisdiction **(April 2008/February 2012)**
- Served as Legal Advisor to the South African delegation during the Conference of the Parties serving as Meeting of the Parties to the Cartagena Protocol, Montreal and served as Chief Negotiator during the contact session on the Liability Protocol **(May 2008)**
- Represented South Africa at the UN Informal Consultative Process on Oceans and the Law of the Sea, New York **(June 2008)**
- Represented South Africa at the Meeting of States Parties to the UN Convention on the Law of the Sea, New York **(June 2008)**
- Part of South African delegation during a meeting with French to discuss South Africa's continental shelf project **(July 2008)**
- Led the South African delegation at the AU Meeting of Legal Experts and Ministers of Justice to discuss a variety of issues **(Oct/Nov 2008)**

- Legal Advisor to the South African Continental Shelf Project Team
(2006 – Present)

Involvement in Subject Related Academic Bodies

- Oxford International Law Cases in Domestic Courts, case reporter
(January 2007–May 2008)
- Member of the International Law Association's Committee on Sustainable Development **(2004–Present)**
- Executive Committee Member of the South African Branch of the International Law Association **(2002–2009)**
- Member of the Selection Panel for the SA Students Fulbright Scholarship Programme **(2002–2004)**
- Member of the Selection Panel for US Students Fulbright Scholarship Programme **(2003–2004)**
- Member of Selection Panel for the Integrated Bar Project **(2003 and 2004)**

Community Service

- Chairperson of the Board of Trustees, UNISA Centre for Early Childhood Education (UCECE) **(May 2005–May 2007)**
- Member of the Management Board, UCECE **(2005–2008)**
- Member of the Richard's Place Body Corporate Board of Trustees **(2003–2007)**

References

Advocate Sandea de Wet

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