

Judge Dire TLADI

(Member of the Court since 6 February 2024)

Born on 20 April 1975 in Ga'Rankwa, South Africa.

Academic and professional qualifications

PhD (Law), Erasmus University Rotterdam (2007).

LLM, University of Connecticut (2000).

LLB (*cum laude*), University of Pretoria (1999).

BLC, University of Pretoria (1996).

Main academic awards and scholarships

Fulbright Scholar Grant (1999 and 2018/2019).

Principal's Prize for Research, Unisa (2005).

National Research Foundation (2003, 2004, 2019, 2020, 2021).

Stichting Studie Fonds (the Netherlands) (2003).

Expert positions

UN International Law Commission (2012-2022): Chair (2022), First Vice-Chair (2021), Chair of Drafting Committee (2013), General Rapporteur (2014), Special Rapporteur *Jus Cogens* (2015-2022); Co-Editor in Chief of the South African Yearbook of International Law (2013-2018); President, South African Branch of the International Law Association (since 2019); Member of the *Institut de Droit International* (2017); Legal Expert in the trilateral negotiations between Egypt, Ethiopia and Sudan on the Great Ethiopia Renaissance Dam; Counsel for the African Union in the *Jordan Appeal* (ICC Appeals Chamber) (2018); Lead Counsel for South Africa in *South African non-Cooperation Matter* (ICC Appeals Chamber) (2017); International Law Expert in *Swissbourgh Diamond Mining v. Lesotho* (Investor-State Arbitration under the ICSID rules); Member of legal team for Lake Malawi Dispute (Malawi/Tanzania) Mediation Team consisting of former Presidents Chissano, Mbeki and Mogae (March 2013-2015) (discontinued).

Main positions held

A. Government/civil society

South African Department of International Relations and Cooperation (March 2006 to 2014).

Principal State Law Advisor (international law).

Legal Counsellor, South African Permanent Mission to the United Nations in New York (January 2009 to January 2013).

Special Adviser to the Minister of International Relations and Cooperation (2014-2018).

B. Academic

University of Pretoria, Professor of international law (since 2014). NRF/DST SARChI Chair of International Constitutional Law (since 2020). Future Africa Chair in Global Equity in Africa (since 2023).

Global Visiting Professor of Law, University of California Irvine, 2018; Visiting Scholar/Professor, Humboldt University Zu Berlin, 2015; Visiting Professor, Kobe University, 2015; University of Stellenbosch, Department of Public Law (extraordinary professor) (2008–2018).

University of South Africa, Department of Constitutional and International Law (Senior Lecturer, Associated Professor, Head of Department) (May 2002–March 2006).

University of Pretoria, Department of Legal History, Comparative Law and Legal Philosophy (Junior Lecturer, Senior Lecturer) (1997–2002).

Selected publications

"The Role of the International Court of Justice in the Development of International Law" in C. Esposito and K. Parlett (eds.), *The Cambridge Companion to the International Court of Justice* (2023); "The International Law Commission, The Institut, and States" (2023) 117 *American Journal of International Law Unbound* 231; "In Search of Solidarity in International Law" in E. Kassoti and N. Idriz (eds.), *The Principle of Solidarity — International and EU Law Perspectives* (Springer, 2023); "SDG 1: End Poverty in All Its Forms Everywhere" in E. Hey and J. Ebbesson (eds.), *The Cambridge Handbook of the Sustainable Development Goals and International Law* (Cambridge, 2022); "Representation, Inequality, Marginalization, and International Law Making: The Case of the International Court of Justice and the International Law Commission", University of California Irvine *Journal of International, Transnational, and Comparative Law* (2022); "The African Union's Right to Intervene and the Right to Life: Tension or Concordance" in F. Viljoen, D. Tladi et al. (eds.), *A Life Interrupted: Essays in honour of the lives and legacies of Christof Heyns* (PULP, 2022); *The Extraterritorial Use of Force against Non-State Actors* (Hague Academy Lectures, Brill, 2021); *Peremptory Norms of General International Law (Jus Cogens): Disquisitions and Disputations* (Brill, 2021) (edited volume); "Grotian Moments and Peremptory Norms of General International Law: Friendly Facilitators or Fatal Foes" in 42 *Grotiana* 334 (2021); "A Constitution Made for Mandela, A Constitutional Jurisprudence Developed for Zuma — The Erosion of Discretion of the Executive in Foreign Relations" in H. P. Aust and T. Kleinlein (eds.), *Encounters Between Foreign Relations Law and International Law: Bridges and Boundaries* (Cambridge, 2021); "The Duty Not to Intervene in Matters within Domestic Jurisdiction" in J. E. Viñuales (ed.), *The UN Friendly Relations Declaration at 50: An Assessment of the Fundamental Principles of International Law* (Cambridge, 2020); "The International Criminal Court", *Max Planck Encyclopedia of Public International Law* (2020); "The Constitutional Court's Judgment in the SADC Tribunal Case: International Law Continues to Befuddle", 10 *Constitutional Court Review* 169 (2020); "Populism's Attack on Multilateralism and International Law: Much Ado About Nothing", 19 *Chinese Journal of International Law* 369 (2020); "The International Law Commission's Draft Conclusions on Peremptory Norms of General International Law (*Jus Cogens*): Making Wine from Water or More Water than Wine?", 89 *Nordic Journal of International Law* 244 (2020); *Self-Defence against Non-State Actors* (with M. E. O'Connell and C. J. Tams), Vol. I of *The Dialogues on War and Peace* (Cambridge, 2019); *Dugard's International Law: A South African Perspective* (with four others) (Juta, 2019); "The Use of Force against Syria in Response to Alleged Use of Chemical Weapons by Syria: A Return to Humanitarian Intervention?", 79 *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 205 (with A. de Beer) (2019); "An Institutional Framework for Addressing Marine Genetic Resources under the Proposed Treaty for Marine Biological Diversity in Areas Beyond National Jurisdiction", 19 *International Environmental Agreements: Politics, Law and Economics* 485 (2019); "Article 46L: Promoting an Effective Cooperation Regime" and "Article 46 A Bis – Beyond Rhetoric" in C. C. Jalloh, K. M. Clarke and V. O. Nmehielle (eds.), *The African Court of Justice and Human and Peoples' Rights in Context: Development and Challenges* (2019); "The International Law Commission's Recent Work on Exceptions to Immunity: Charting the Course for a Brave New World in International Law?", *Leiden Journal of International Law* 169 (2019); "The Proposed Implementing Agreement: Options for Coherence and Consistency in the Establishment of Protected Areas beyond National Jurisdiction" in David Freestone (ed.), *Conserving Biodiversity in Areas beyond National Jurisdiction* (2019); "The Intervention in Côte d'Ivoire – 2011" in T. Ruys and O. Corten (eds.), *The Use of Force in International Law: A Case-Based Approach* (2018); "Of Heroes and Villains, Angels and Demons: The ICC-AU Tension Revisited", *German Yearbook of International Law* 43 (2017); "The International Law Commission's Draft Articles on the Protection of Persons in the Event of Disasters: Codification, Progressive Development or the Creation of Law from Thin Air?", 16 *Chinese Journal of International Law* 425 (2017); *The Pursuit of a Brave New World in International Law: Essays in Honour of John Dugard* (ed., with T. Maluwa and M. du Plessis) (Brill, 2017); "Interpretation and International Law in South African courts: The Supreme Court of Appeal and the Al Bashir Saga", 16 *African Human Rights Law Journal* 310 (2016); "The International Criminal Court and the Duty to Arrest and Surrender — The Case of Omar Al-Bashir in South Africa", *Zeitschrift für Internationale Strafrechtsdogmatik* (2015); "Immunity in the Era of 'Criminalisation': The African Union, the ICC and International Law", 58 *Japanese Yearbook of International Law* 17 (2015); "Progressively Developing and Codifying International Law: The Work of the International Law Commission in its Sixty-Seventh Session", *South African Yearbook of International Law* 205 (2015); 'National Commissioner of the South African Police Service v South African Human Rights Litigation Centre & Others 2015 (1) SA 315 (ZACC)' (with Martie Bradley), *South African Yearbook of International Law* 137-143 (2014); "The Common Heritage of Mankind And the Proposed Treaty on Areas Beyond National Jurisdiction", 25 *Yearbook of International Environmental Law* 113 (2014); "The Proposed Implementing Agreement: Options for Coherence and Consistency in the Establishment of Marine Protected Areas", *International Journal of Marine and Coastal Law* 654 (2015); "The Duty on South Africa to Arrest and Surrender President Al Bashir under the South African and International Law: A Perspective from International Law", 13 *Journal of International Criminal Justice* 1027 (2015); "The Immunity Provisions in the AU Amendment Protocol: Separating the (Doctrinal) Wheat from the Normative (Chaff)", 13 *Journal of International Criminal Justice* 3 (2015); "When Elephants Collide it is the Grass that Suffers: Cooperation and the Security Council in the Context of AU/ICC Dynamics", 7 *African Journal of Legal Studies* 381

(2014); "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", 1 *Journal of State Practice and International Law* 97 (2014); "The Nonconsenting Innocent State: The Problem With Bethlehem's Principle 12", 107 *American Journal of International Law* 570 (2013); "On the Al Qaida/Taliban Sanctions Regime: Due Process and Sun Sets", 10 *Chinese Journal of International Law* 771 (2011); "Marine Genetic Resources on the Deep Seabed: The Continuing Search for a Legally Sound Interpretation of UNCLOS", *International Environmental Law-Making and Diplomacy* 65 (2008); "Strict Positivism, Moral Arguments, Human Rights and the Security Council: South Africa and the Myanmar Vote", 1 *African Human Rights Law Journal* 23 (2008); "Reflections on the Rule of Law in International Law: The Security Council, International Law and the Limits of Power", *South African Yearbook of International Law* 231 (2006); "Sustainable Development, Integration and the Conflation of Values: The *Fuel Retailers case*" in D. French (ed.), *Sustainable Development and Global Justice* (Oct. 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).
