Dai TAMADA

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I. Personal Data

- Birth year: 1974

- Position: Professor of International Law, Graduate School of Law, Kyoto University, Japan

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II. Academic Qualifications

1998	LL.B., Kyoto University, Faculty of Law
2000	M.A., Kyoto University, Graduate School of Law
2014	Ph.D., Kyoto University, Graduate School of Law
	Doctoral thesis: Legal Effects of International Court's Judgm

Doctoral thesis: Legal Effects of International Court's Judgments

[Kokusai-Saiban no Hanketsu-Ko-Ron][in Japanese]

III. Appointments Held

2000-2003	Research Fellow, Japan Society for the Promotion of Science (JSPS)
2003-2005	Assistant, Graduate School of Law, Kyoto University
2005-2009	Associate Professor, Faculty of Law, Okayama University
2009-2014	Associate Professor, Graduate School of Law, Kobe University
2014-2021	Professor, Graduate School of Law, Kobe University
2021-present	Professor, Graduate School of Law, Kyoto University

IV. Publication

A. Book

- Dai Tamada, Legal Effects of International Court's Judgments [Kokusai-Saiban no Hanketsu-Ko-Ron], Yuhikaku, September 2012, xii + 242 pp. [in Japanese]
- 2 Malgosia Fitzmaurice and **Dai Tamada** (eds.), *Whaling in the Antarctic: Significance and Implications of the ICJ Judgment* (Brill|Nijhoff, 2016, Queen Mary Studies in International Law, Vol.23), ix + 423pp.
- **Dai Tamada**, Tomonori Mizushima, and Takuhei Yamada, *International Law [Kokusaiho]*, Yuhikaku, Yuhikaku Studia Series, September 2017, xi + 206 pp. [in Japanese]
- 4 **Dai Tamada** and Philippe Achilleas (eds.), *Theory and Practice of Export Control: Balancing International Security and International Economic Relations* (Springer, Kobe University Social Science Research Series, 2017, vi + 170pp.)
- Piotr Szwedo, Richard Peltz-Steele and **Dai Tamada** (eds.), *Law and Development: Balancing Principles and Values* (Springer, Kobe University Monograph Series in Social Science Research, 2019, xvi + 241pp.)
- Tadashi Mori, Iwao Fujisawa, **Dai Tamada**, Mari Takeuchi, Kazuyori Ito, and Tomofumi Kitamura, *Handbook of International Treaties* (Yuhikaku, December 2020, xx+387 pp.) [in Japanese]

- 7 **Dai Tamada** and Keyuan Zou (eds.), *Implementation of the United Nations Convention on the Law of the Sea: State Practice of China and Japan* (Springer, Kobe University Monograph Series in Social Science Research, April 2021, xvii + 254pp.)
- 8 Masahiko Asada and **Dai Tamada** (eds.), *War in Ukraine, International Law, and International Political Economy* (Toshindo, March 2023, xii+247 pp.) [in Japanese]

B. Article

- **Dai Tamada**, 'Excess of Power in International Adjudication', *Kyoto Law Journal*, vol.149, no.6 (2001), pp.108-127; vol.150, no.5 (2002), pp.118-135. [in Japanese]
- **Dai Tamada**, 'Declaratory Judgments in International Adjudication', *Kyoto Law Journal*, vol.153, no.2 (2003), pp.23-42; vol.153, no.3 (2003), pp.69-86. [in Japanese]
- **Dai Tamada**, 'Revision of Judgments in International Adjudication', *Okayama Law Journal*, vol.55, no.4 (2006), pp.643-701 [in Japanese]
- **Dai Tamada**, 'Interpretation of Judgments in International Adjudication', *Okayama Law Journal*, vol.56, nos.3&4 (2007), pp.743-802. [in Japanese]
- Dai Tamada, 'The Principle of *Res Judicata* in International Adjudication', *Journal of International Law and Policy*, vol.106, no.4 (2008), pp.456-479. [in Japanese]
- **Dai Tamada**, 'Assessing Damages in Non-Expropriation Cases before International Investment Arbitration', *Japanese Yearbook of International Law*, vol.52 (2009), pp.309-334.
- 7 **Dai Tamada**, 'Obligation to State Reasons in International Courts and Tribunals', *Kobe Law Journal*, vol.61, nos.1&2 (2011), pp.1-39. [in Japanese]
- **Dai Tamada**, 'Procedure of Provisional Measures in Investor-State Arbitration: Institutional Default and Arbitral Complement', in Masahiko Asada, Nobuyuki Kato and Hironobu Sakai (eds.), *International Court and Development of Modern International Law* (Sanseido, 2014), pp.114-142. [in Japanese]
- Dai Tamada, 'Provisional Measures in Investor-State Dispute Settlement: Reappearance of Community of Investment Interests?', in Shotaro Hamamoto, Hironobu Sakai and Akiho Shibata (eds.), 'L'être situé', Effectiveness and Purposes of International Law: Essays in Honour of Professor Ryuichi Ida (Brill/Nijhoff, 2015), pp.144-164.
- Dai Tamada, 'Unfavourable but Unavoidable Procedures: Procedural Aspects of the Whaling Case', in Malgosia Fitzmaurice and Dai Tamada (eds.), *Whaling in the Antarctic: Significance and Implications of the ICJ Judgment* (Brill|Nijhoff, 2016, Queen Mary Studies in International Law, Vol.23), pp.163-192.
- Dai Tamada, 'Objective Litigation in the International Court of Justice', *Journal of International Law and Policy*, vol.116, no.1 (May 2017), pp.1-28 [in Japanese].
- Dai Tamada, 'The Japan-South Korea Comfort Women Agreement: Unfortunate Fate of a Non-Legally Binding Agreement', *International Community Law Review*, vol.20, no.2 (2018), pp.220-251.
- Dai Tamada, 'Applicability of the Excess of Power Doctrine to the ICJ and Arbitral Tribunals', *The Law and Practice of International Courts and Tribunals*, vol.17, no.1 (2018), pp.251-270.
- Dai Tamada, 'Stare Decisis in the WTO Dispute Settlement Procedure', International Economic Law (the Japan Association of International Economic Law), No.27 (November 2018), pp.116-137 [in Japanese]
- Dai Tamada, 'UNCLOS Dispute Settlement Mechanism: Contribution to the Integrity of UNCLOS', Japanese Yearbook of International Law, Vol.61 (2018) [March 2019], pp.132-166.
- Dai Tamada, 'The Full Reparation Principle in International Law: the *Chorzów* Formula Scrutinised', in Yuji Iwasawa, Koichi Morikawa, Tadashi Mori, and Yumi Nishimura (eds.), *Dynamism of International Law: In Memory of Professor of Akira Kotera* (Yuhikaku, 2019), pp.313-331 [in Japanese].

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 Balancing Principles and Values (Springer, Kobe University Monograph Series in Social Science Research, 2019), pp.95-114. [Abstract]
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- Dai Tamada, 'The Plausibility Requirement in the Provisional Measure of the International Court of Justice: In Light of the Opinion of Judge Owada', in Iwasawa Yuji and Okano Masataka (eds.), International Relations and the Rule of Law: Festschrift for Judge Owada Hisashi in commemoration of his retirement from the International Court of Justice (Shinzansha, July 2021), pp. 73-95 [in Japanese]
- Dai Tamada, 'Inter-State Communication under ICERD: From ad hoc Conciliation to Collective Enforcement?', *Journal of International Dispute Settlement*, idab018 (August 2021), pp.1-22. [Advance article]
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C. Note

- **Dai Tamada**, 'Source and Scope of Obligation to State Reasons under the European Convention on Human Rights', *Okayama Law Journal*, vol.55, no.2 (2006), pp.387-412. [in Japanese]
- **Dai Tamada**, 'Categorisation of Compensation and Damages under Investor-State Arbitration: Re-Categorisation of Expropriation and Non-Expropriation Cases', *RIETI Discussion Paper Series* 08-J-013 (2008), pp.1-40. [in Japanese]
- **Dai Tamada**, 'Pre-Investment Expenditure: Possibility to be Protected under International Investment Agreement', in Research Centre of International Trade and Investment, Fair Trade Centre (ed.), *Report on the Study Group of Investment Arbitration* (2009), pp.123-148. [in Japanese]
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- Dai Tamada, 'Obligation to State Reasons in Jury Verdict: Conflict between Subjective Decision and Objective Decision', in Shotaro Hamamoto and Yukio Okitsu (eds.), *Order of Europe* (Keiso-shobo, 2013), pp.187-206. [in Japanese]
- **Dai Tamada**, 'Moral Damages in Investor-State Arbitration', *RIETI Discussion Paper Series* 14-J-013 (2014), pp.1-23. [in Japanese]
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- **Dai Tamada**, 'Impact of Trans-Pacific Partnership Agreement and Investor-State Dispute Settlement on Vietnam and Japan', *Kobe Law Journal*, vol.64, no.1 (2014), pp.1-16.
- **Dai Tamada**, 'Host States as Claimants: Corruption Allegations', in Shaheeza Lalani and Rodrigo Polanco Lazo (eds.), *The Role of the State in Investor-State Arbitration* (Brill/Nijhoff, 2015), pp.103-122.
- Dai Tamada, 'Settlement of International Intellectual Property Disputes: Possibility to Use ISDS', in Centre for Intellectual Property (ed.), *Report of the Study Group of International Intellectual Property Regime* (2015), pp.66-72. [in Japanese]
- Dai Tamada, 'Investor's Responsibility toward Host-States? Regulation of Corruption in Investor-State Arbitration', in Noemi Gal-Or, Cedric Ryngaert and Math Noortmann (eds.), Responsibilities of the Non-State Actor in Armed Conflict and the Market Place: Theoretical Considerations and Empirical Findings (Brill/Nijhoff, 2015), pp.203-216.
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- 24 Dai Tamada, 'Human Rights Covenant: International Protection of Human Rights', Law Class-room

- [Hogaku-Kyositsu], vol.422 (2015), pp.121-127 [in Japanese]
- **Dai Tamada**, 'Discriminatory Application of Competition Law and International Investment Agreements', *RIETI Discussion Paper Series* 15-E-125 (November 2015), pp.1-20.
- **Dai Tamada**, 'TPP Investment Chapter and the Prevention of Abuse of ISDS', *International Commercial Legal Practice*, Vol.44, No.3 (2016), pp.401-408 [in Japanese]
- Dai Tamada, 'Analysis of the TPP Investment Chapter: Road to the Intellectual Dispute Settlement through ISDS', in *Annual Report of the Research Group on International System of Intellectual Property* (2016), pp.37-48 [in Japanese]
- Dai Tamada, 'Convention on Chemical Weapons: International Control on WMD', *Law Class-room [Hogaku-kyositsu]*, vol.429 (2016), pp.118-124 [in Japanese]
- Dai Tamada, 'Exercise of Universal Jurisdiction on Piracy: Current Situation of Doctrines', in Jun Tsuruta (ed.), *Research on the Law on Piracy* (Yushindo, 2016), pp.98-112 [in Japanese]
- **Dai Tamada**, 'Problem of Conflict between Regulation of State Aid and Obligation of Investment Protection', RIETI Discussion Paper Series 16-J-051 (September 2016), pp.1-30 [in Japanese]
- **Dai Tamada**, 'World Heritage Convention: Promoting Tourism or Protecting Heritage?', *Law Class-Room [Hogaku-Kyositsu]*, vol.436 (January 2017), pp.117-123 [in Japanese]
- Dai Tamada, 'Effectiveness of ISDS in Intellectual Property Dispute: Implications of the Philip Morris cases', in Foundation for Intellectual Property, *Report of the Research Group on International Intellectual Property Institutions (2016)* (March 2017), pp.75-95 [in Japanese]
- **Dai Tamada**, 'Dispute Settlement and Compliance Mechanism: Realisation Means of Treaties', *Law Class-Room [Hogaku-Kyositsu]*, vol.441 (June 2017), pp.99-104 [in Japanese]
- **Dai Tamada**, 'Legal Issues in the Feed-in Tariff of Renewable Energy: Issues in Investment Treaty Arbitration', *RIETI Discussion Paper Series* 17-J-060 (October 2017), pp.1-34 [in Japanese]
- Dai Tamada, 'Conflict of Interests: Liberalisation of Foreign Direct Investment Versus Security Interest', in Dai Tamada and Philippe Achilleas (eds.), *Theory and Practice of Export Control: Balancing International Security and International Economic Relations* (Springer, Springer Briefs in Economics, Kobe University Social Science Research Series, 2017), pp.101-111.
- **Dai Tamada**, 'The UNCLOS Dispute Settlement Mechanism: Effectiveness and Limitations', *Kobe University Law Review*, vol.51 (2018) [March 2019], pp.24-39.
- **Dai Tamada**, 'Legal Evaluation of the Commercial Whaling under the United Nations Convention on the Law of the Sea', in Masahiko Asada et al. (eds.), *Trend of the Modern International Law I: Festschrift for Professors Shigeki Sakamoto and Kimio Yakushiji* (Toshindo, November 2020), pp. 404-42. [in Japanese]
- **Dai Tamada**, 'The COVID-19 Pandemic and Investor-State Arbitration', *The Journal of International Law and Diplomacy*, vol. 120, nos. 1 and 2 (August 2021), pp. 177-188 [in Japanese].
- 39 Dai Tamada, 'Japan-Taiwan Investment Arrangement: Analysis and its Future', in Hiroyuki Banzai (ed.), Japan-Taiwan Economic Interchange and International Law (Seibundo, July 2022), pp. 19-47. [in Japanese]
- **Dai Tamada**, 'War in Ukraine and International Investment Law', in Masahiko Asada and **Dai Tamada** (eds.), *War in Ukraine, International Law, and International Political Economy* (Toshindo, March 2023), pp. 202-230. [in Japanese]
- Dai Tamada, 'Choice of Arbitration Rule and Constitution of the Arbitral Tribunal', in Hyuck-Soo Yoo (ed.), *Procedural Law on International Economic Dispute Settlement: WTO and Investment Arbitration* (Hakueisha, March 2023), pp. 221-253. [in Japanese]

D. Case note

- **Dai Tamada**, 'Arrest Warrant Case: Democratic Republic of Congo v. Belgium, Judgment of 14 February 2002', *Human Rights International*, vol.14 (2003), pp.115-118. [in Japanese]
- **Dai Tamada**, 'Legality of the Use of Force (Preliminary Objection Judgment of 15 December 2004)', *Okayama Law Journal*, vol.55 (1) (2005), pp.209-228. [in Japanese]
- **Dai Tamada**, 'Certain Property, Preliminary Objection Judgment of 10 February 2005', *Okayama Law Journal*, vol.55 (1), pp.191-208. [in Japanese]
- **Dai Tamada**, 'Criminal Procedure in France. Provisional Measures Order of 17 June 2003', *Okayama Law Journal*, vol.55 (2) (2006), pp.334-356. [in Japanese]
- Dai Tamada, 'Armed Activities in the Territory of Congo (New Application of 2002), Judgment of Jurisdiction and Admissibility, 3 February 2006', *Okayama Law Journal*, vol.56 (2) (2007), pp.221-240. [in Japanese]
- **Dai Tamada**, 'Pulp Mills on the River Uruguay: Provisional Measures Order of 13 July 2006', *Okayama Law Journal*, vol.56 (2) (2007), pp.201-220. [in Japanese]
- **Dai Tamada**, 'Pulp Mills on the River Uruguay: Provisional Measures Order of 23 January 2007', *Okayama Law Journal*, vol.57 (1) (2007), pp.180-190. [in Japanese]
- 8 **Dai Tamada**, 'Ahmado Sadio Diallo Case: Preliminary Objection Judgment of 24 May 2007', *Okayama Law Journal*, vol.58 (3) (2009), pp.407-426. [in Japanese]
- 9 **Dai Tamada**, 'Application of the Convention on the Prevention and Suppression of the Crime of Genocide: Preliminary Objections Judgment of 18 November 2008', *Okayama Law Journal*, vol.58 (4) (2009), pp.529-550. [in Japanese]
- Dai Tamada, 'Obligation to Extradite or Prosecute: Provisional Measures Order of 28 May 2009', Okayama Law Journal, vol.59 (1) (2009), pp.186-198. [in Japanese]
- **Dai Tamada**, 'Kokaryo Case', in Takane Sugihara and Hironobu Sakai (eds.), *International Law Cases 50* (Sanseido, 2010), pp.42-45. [in Japanese]
- **Dai Tamada**, 'Barcelona-Traction Electricity Power Company Case', in Takane Sugihara and Hironobu Sakai (eds.), *International Law Cases 50* (Sanseido, 2010), pp.110-113. [in Japanese]
- Dai Tamada, 'Abyei Case: Permanent Court of Arbitration. Award of 22 July 2009', *Kobe Annual Review*, vol.26 (2011), pp.139-168. [in Japanese]
- Dai Tamada, 'Categorisation of Preliminary Objections: Nicaragua Case, Jurisdiction and Admissibility', in Akira Kotera, Koichi Morikawa and Yumi Nishimura (eds.), *International Law Cases 100* (2nd ed., Yuhikaku, 2011), pp.186-187. [in Japanese]
- Dai Tamada, 'Application of the Genocide Convention (Croatia v. Serbia), Preliminary Objections Judgment of 18 November 2008', *Journal of International Law and Diplomacy*, vol.110, no.4 (2012), pp.59-78. [in Japanese]
- **Dai Tamada**, 'Diallo Case', Takane Sugihara and Hironobu Sakai (eds.), *International Law Cases 50* (2nd ed., Sanseido, 2014), pp.110-113. [in Japanese]
- Dai Tamada, 'Certain Questions of Mutual Assistance in Criminal Matters (Djibouti v. France) Judgment of 4 June 2008', *Journal of International Law and Diplomacy*, vol.113 (3) (2014), pp.133-149. [in Japanese]
- Dai Tamada, 'Ahmado Sadio Diallo Case: Preliminary Objection Judgment of 24 May 2007', *Journal of International Law and Policy*, vol.114 (4) (2016), pp.74-87 [in Japanese]
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- Dai Tamada (co-authored with Masahiko Asada), 'Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. United Kingdom), Preliminary Objections, Judgment of 5 October 2016', *Journal of International Law and Diplomacy*, vol.116, no.2 (August 2017), pp.97-114 [in Japanese]
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E. Book review

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- **Dai Tamada**, 'Kaiyan Homi Kaikobad, *Interpretation and Revision of International Boundary Decisions* (Cambridge University Press, 2007, xxvi + 364 pp.)', *Okayama Law Journal*, vol.57 (3) (2008), pp.626-634. [in Japanese]
- 7 **Dai Tamada** (translation) 'EU Integration and Reform of Constitutional Framework', in Koichi Shimizu (ed.), *Regional Integration: Experience of Europe and East Asia* (2010), pp.8-23. [in Japanese]
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