

**DOCTORAL DEGREE BY VIRTUE OF
PUBLICATIONS: INTERNATIONAL
DEVELOPMENT LAW**

BY

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Prepared at the Centre of Human Rights, Faculty of Law,
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LLD Application Statement by Daniel Bradlow

I am hereby applying for the doctoral degree by virtue of publications. I am submitting the following publications in support of this application. (Copies are attached of all publications indicated in bold). I also hereby confirm that these publications are my own works or those of myself and my co-authors, have not previously been submitted to any other institution for a doctoral degree and that due attention has been paid to all applicable copyright considerations.

The publications, which have been divided into five categories, are:

I. International Development Law

“Differing Conceptions of Development and the Content of International Development Law” 21:1 *South African Journal of Human Rights* (2005) reprinted in Development and Economic Resources, from *Encyclopedia of Life Support Systems (EOLSS)*, Developed under the Auspices of the UNESCO, Eolss Publishers, Oxford, UK, [<http://www.eolss.net>] Also available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=788070

This publication is based on my work with the World Commission on Dams, on the International Financial Institutions and human rights, and with the World Bank on dam safety regulation. It is an attempt to explain the conflicting views that have developed about development, particularly around infrastructure projects and extractive industry projects, and the implications this has for international development law. At the time the article, of which there are in fact 2 versions (the second version was published in the Boston University Journal of International and Comparative Law), was written, it was innovative and attracted considerable interest.. For example, on the SSRN network¹, the two versions of the article have been viewed a total of 1716 times and the papers downloaded a total 311 times.

The following is an abstract of the article published in the SAJHR :

International development law is the branch of international law that deals with the rights and duties of states and other actors in the development process. Its original content was premised on a particular generally accepted understanding of development. Under the pressure of the problems of development that arose during the 1970s and 1980s, this general agreement on the key issues in development disintegrated. As a consequence, the consensus on the content of international development law also began to break down.

¹ Social Science Research Network (SSRN) is devoted to the rapid worldwide dissemination of social science research and is composed of a number of specialized research networks in each of the social sciences, including law.

Today, there are competing idealized views of development that shape the current debate about both development, and the content of international development law. The first view, which can be termed the traditional view, maintains that development is about economic growth. It argues that the challenges of economic development can be distinguished from other social, cultural, environmental and political issues in society, including human rights. The second view, which can be termed the modern view has a holistic understanding of development. It argues that development should be viewed as an integrated process of change that involves economic, social, cultural, political and environmental dimensions. Each of these views leads to a different understanding of the contents of international development law. The traditional and modern views of international development law differ in their understanding of the substantive content of development law, the importance they attach to the principle of sovereignty and in their view of the relationship between national and international law in the law applicable to the development process.

I have also written two other articles that are relevant to this topic. They are:

“Are We Being Propelled Towards a People: Centered Transnational Legal Order?” *9Am. U. J. Int’l. L. and Pol’y* 1-25 (co-authored with Claudio Grossman) (1993) (Also available at: <http://ssrn.com/abstract=1365252>).

“Debt, Development and Human Rights: Lessons from South Africa,” *12 Michigan Journal of International Law* 647 (1991).

II. Articles on the Governance of the IMF

“Stuffing New Wine Into Old Bottles: The Troubling Case of the IMF,” *3 Journal of International Banking Regulation* 9-36 (2001). An updated version of this article was prepared for the G24 Secretariat and published as **“The Governance of the IMF: The Need for Comprehensive Reform,”** (prepared for G24 Technical Committee) available at www.g24.org/brad0906.pdf (2006) (also available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=92846

This publication was based on my work on enhancing accountability of international financial institutions and on reform of the international financial architecture. The articles are unusual in that they analyze, from an international legal and policy perspective, the problems in the structure, function and governance of the IMF and propose a set of short, medium and long term solutions to these problems. My work in this area has attracted considerable attention. I was asked to speak about the paper to a number of different audiences and was invited to publish shorter versions of it in the *South African Yearbook of International Affairs* and the *Indian Journal of International Law*. On the SSRN network the two versions carried of this article have been viewed 940 times and the papers downloaded 214 times.

The following is the abstract of the article written for the G24 Secretariat:

This article argues that IMF's current governance arrangements suffer from being non responsive to key stakeholders, lack of accountability, non-representative decision making, lack of transparency, and poorly defined relations with other international organizations. These deficiencies have arisen because the IMF has failed to adapt its decision-making structure and procedures to its changing functions and role in the global economy. They have caused distortions in the IMF's relations with its member states, with non-state actors, and with other international organizations and problems with some of the IMF's interpretations of its articles. The article argues that the IMF cannot perform effectively until it corrects these problems in its governance and these distortions in its relations with its key stakeholders. It also includes a set of short, medium and long term reform proposals that, if adopted by the IMF, would make its decision-making procedures more compatible with its current functions and changed relations with its member states. They will also ensure that the IMF's own governance and decision making arrangements conform to the principle of good governance-transparency, predictability, participation, reasoned decision making, and accountability - that are applicable to all public institutions at both the national and international level.

I have written a related paper on this topic, entitled, “**Operational Policies and Procedures and an Ombudsman**” that was published in a book, *Accountability of the International Monetary Fund*, B. Carin, A. Wood, eds., IDRC/Ashgate, 2005. (also available at : <http://ssrn.com/abstract=805805>). I was invited to present this paper to meetings at the IMF and at the Brookings Institution in Washington DC. It has been viewed 466 times on SSRN and downloaded 73 times.

The following is an abstract of the article:

This paper is about the problems with the administrative practices and procedures in the IMF. It argues that currently the IMF lacks administrative practices and procedures that are consistent with the requirements of good governance. There are 2 requirements for such administrative practices and procedures. The first is clearly articulated and publicly available standards that guide IMF staff in their work and that other stakeholders can utilize in measuring the performance of IMF staff. These standards should set out both the substantive and procedural requirements applicable to the operations of the IMF. The second is a mechanism through which IMF staff and management can be held accountable for their failure to comply with the applicable procedures. The paper concludes with recommendations on designing a formal and comprehensive set of operational policies and procedures for the IMG and a call for the IMF to establish and ombudsman to oversee compliance with these operational policies and procedures.

III. Articles on Accountability in International Financial Institutions

“International Organizations and Private Complainants: The Case of the World Bank Inspection Panel,” 34 *Virginia Journal of International Law* 553 (1994).

This article was based on my work creating the Inspection Panel at the World Bank. It discusses the problems at the World Bank that arose due to its lack of accountability, the suggestions that were made to address this problem, the campaign to get the World Bank to adopt an accountability mechanism, and the significance of the Inspection Panel. I wrote this article because the Inspection Mechanism is based substantially on my proposal that the World Bank create an ombudsman empowered to receive complaints from people and communities that were harmed or threatened with harm by World Bank funded projects and because I was actively involved in the campaign to get the Bank to create the Inspection Panel. It is important to note that the World Bank was the first major international organization to create a mechanism that allowed non-state actors to hold an international organization directly accountable for its actions.

“Private Complainants and International Organizations: A Comparative Study of the Independent Inspection Mechanisms in International Financial Institutions”, 36 *Georgetown J. Int’l. L* 403 (2005). (also available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=713502)

This article was based on a study that I did for the African Development Bank on inspection mechanisms in international financial institutions and international organizations. The study ended with a proposal for the design of an inspection mechanism for the AFDB. The AFDB adopted my proposal and created the Independent Review Mechanism (IRM), based on my proposal. I was subsequently appointed as a member of the first 3-person Roster of Experts in the IRM. I was also the chair of the panel created in response to the first request for inspection received by the IRM. This study attracted some interest outside the Bank and so I converted the study into a publishable article. The article has been viewed 512 times on SSRN and has been downloaded 157 times.

The abstract for the article is:

This paper is a comparative study of the independent inspection mechanisms in international financial institutions. These mechanisms, which are an important development in the accountability of international organizations, allow private complainants who believe that they have been harmed or threatened with harm by the failure of these institutions to act in accordance with their own operational rules and procedures to have their complaints investigated by an independent body.

The paper is divided into three parts. In the first part I discuss the structure, functions and procedures of the World Bank's Inspection Panel, the International

Finance Corporation's Compliance Advisor Ombudsman, the Inter-American Development Banks' Independent Inspection Mechanism, the Asian Development Bank's Accountability Mechanism, the European Bank for Reconstruction and Development's Independent Recourse Mechanism, and the African Development Bank's Independent Review Mechanism. I also briefly discuss analogous mechanisms in the International Monetary Fund, the European Union, the United Nations, and Export Development Canada.

The second part of the paper is a comparative analysis of these mechanisms. It compares their structures, functions and procedures and draws some conclusions of general applicability about independent inspection mechanisms.

The third part of the paper argues that all international organizations with operational responsibilities need independent inspection mechanisms. It then discusses the principles that should guide the structure, function and procedures of such mechanisms and considers various models that can be adopted for such mechanisms. It ends with a recommendation on the optimal structure for such a mechanism.

I have written a number of other articles about the World Bank Inspection Panel. They include:

“Precedent Setting NGO Campaign Saves World Bank Inspection Panel,” 6 *Human Rights Brief*, No. 3, p. 74, May 1999.

“A Test Case for the World Bank,” *Am.U. J. Int'l. L. and Pol'y* 247 (1996).

“The World Bank's New Inspection Panel: A Constructive Step in the Transformation of the International Legal Order,” 54 *Zeitschrift für Ausländisches Öffentliches Recht und Völkerrecht* 392 (Max-Planck Institute) (co-authored with S. Schlemmer-Schulte) (1994).

IV. International Financial Institutions and Human Rights

“**The World Bank, the International Monetary Fund and Human Rights,**” 6 *Journal of Transnational Law and Contemporary Problems* 68 (1996).

This article was an attempt to explore the World Bank and the IMF’s responsibilities in regard to human rights. My concern in this article was to explore their human rights obligations in regard to both their operations and their relations with member states that are systematic human rights violators. Prior to my article, most articles that had been written about human rights and these institutions had only focused on the latter issue. The article built on my research for my article on debt, development and human rights in South Africa and on my work on the World Bank Inspection Panel. It also contributed to my interest in dams and my work on differing conceptions of development and international development law.

V. Socially Responsible Investing

“An Experiment in Creative Financing to Promote Reconciliation and Development In South Africa” in *Africa’s Finances: The Contribution of Remittances*, R. Bardouille, M. Ndulo and M. Grieco (eds., 2008) (also available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=987506)

This article is a summary of a project that I undertook to launch a Reconciliation and Development Bond in South Africa. The project was inspired by the Report of the Truth and Reconciliation Commission. Its goal was to design a retail bond that could be sold to the public and which could be used to fund small scale development projects in poor and disadvantaged South African communities. The article describes the work I did to design the bond and some of the lessons that I learned from the project. While the project has not yet resulted in the bond being issued, it has had a practical result. In the course of the project, I was awarded a grant by the Wallace Global Fund, which I used to hire consultants to conduct a study of organizations with the capacity to invest the money raised through the bond in small scale development projects. It turned out that the study that I commissioned was probably the first such study done in South Africa. It not only is a careful study of the institutional capacity for such projects in South Africa but it includes an innovative methodology for identifying and evaluating them. The consultants and I have continued to work together. We are in the process of turning our work into an annual report that will promote understanding of small scale social impact investing and will facilitate investment in small scale development projects. The article has been viewed 240 times and downloaded 79 times on SSRN.

The following is the abstract for the article:

This paper discusses a project designed to address 3 seemingly unconnected problems:

- 1) How to promote private reconciliation in South Africa, that is reconciliation between black and white South Africans that is independent of the effort to promote reconciliation between the state and those who suffered under apartheid
- 2) How to involve the South African expatriate community in the process of reconciliation and development in South Africa, and
- 3) How to mobilize and deliver funding for projects that are both too rich for grant funding because they generate a stream of revenue that can be used to service debts and other financial obligations and too poor for commercial funding either because of the scale of the project or the risk and return profile of the project.

The paper describes the innovative funding structure that has been developed to

simultaneously address all three of these issues and some of the interesting financial, legal and policy issues that it raises.

VI. Dam Safety Regulation

Regulatory Frameworks for Dam Safety: A Comparative Study (2002),

published by World Bank as part of Law, Justice and Development Series (co-authored with Alessanro Palmieri and Salman Salman).

This book is a comparative study of dam safety regulation in 22 countries. The study is divided into 3 parts. The first part is a description of the dam safety regulatory framework in 22 countries: Argentina, Australia, Austria, Brazil, Canada, China, Finland, France, India, Ireland, Latvia, Mexico, New Zealand, Norway, Portugal, Romania, the Russian Federation, South Africa, Spain, Switzerland, the United Kingdom, and the United States of America. The second part is a comparative analysis of these regulatory frameworks, highlighting the similarities and differences in the approaches adopted by these 22 countries. The third part offers recommendations on what a regulatory framework for dam safety should include. It lists essential elements, desirable elements and identifies a number of emerging trends in dam safety. The third part of the study is designed to be a tool kit that can be used by countries interested in updating or developing a regulatory framework for dam safety. The book has been translated into Chinese, French and Russian.

My role in this publication consisted of the following: I was hired as a consultant to undertake this study. Consequently, I was responsible for doing the research on the 22 countries, writing the first draft of the publication, editing the text of the publication after it was reviewed in a peer-review workshop. My co-authors were my contact people at the World Bank. They reviewed all drafts of the text and were available to meet with me to discuss the project and the book drafts. They also played a role in the editing of the text.

VII. Additional Information

I have selected the above for submission for consideration for the doctoral degree by virtue of publications because I believe they give a clear picture of my research interests and of my writings over the course of my academic career. However, they do not constitute a comprehensive list of all my publications. Consequently, I am attaching as an addendum to this application, a complete list of all my publications.

ADDENDUM 1:
COMPLETE LIST OF PUBLICATIONS
BY
DANIEL BRADLOW

AUTHOR

BOOKS

“Regulatory Frameworks for Water Resource Management: A Comparative Study” (Co-author with Salman Salman) (The World Bank, Law, Justice and Development Series, 2006)

“Regulatory Frameworks for Dam Safety: A Comparative Study” (Co-author with Alessandro Palmieri and Salman Salman) (The World Bank, Law Justice and Development Series, 2002)
(book has been translated into Chinese, French and Russian)

JOURNALS

“Developing Countries Debt Crises, International Financial Institutions, and International Law: Some Preliminary Thoughts”, 2008 *German Yearbook of International Law* (forthcoming)

“Private Finance, Social Responsibility and Transitional Justice: The Case for South African Reconciliation and Development Bonds”, 15:1 *Human Rights Brief* 7 (2007)

“Training Law Students to be International Transactional Lawyers – Using An Extended Simulation To Educate Law Students About Business Transactions” (Co-authored with Jay Finkelstein) 1 *Pepperdine Journal of Business, Entrepreneurship and the Law* 67 (2007).

“The Changing Role of the IMF in the Governance of the Global Economy and Its Consequences” 2007 *South African Yearbook of International Affairs* (2007)

“Differing Conceptions of Development and the Content of International Development Law” 21:1 *South African Journal of Human Rights* (2005) reprinted in Development and Economic Resources, from *Encyclopedia of Life Support Systems (EOLSS)*, Developed under the Auspices of the UNESCO, Eolss Publishers, Oxford ,UK, [<http://www.eolss.net>]

“Private Complainants and International Organizations: A Comparative Study of the Independent Inspection Mechanisms in International Financial Institutions”, 36 *Georgetown J. Int'l. L* 403 (2005).

- “Development Decision Making and the Content of International Development Law”,
27 B.C. Intl. & Comp. L. Rev. 195 (2004)
- “The Governance of the International Financial Institutions: The Need for Reform”, 43
Indian Journal of International Law,” 533 (2003).
- “Should The International Financial Institutions Play a Role in The Implementation and
Enforcement of International Humanitarian Law?”, *50 Kansas Law Review* 695 (2002)
- “The Changing Dynamics of International Financial Negotiations,” *MEFMI Forum*
(December 2001).
- “Lessons From the NGO Campaign Against The Second Review of the World Bank
Inspection Panel,” *7 ILSA Journal of International & Comparative Law* 247 (2001).
- “The Times They Are A „Changin“: Differing Conceptions of Development and the
Reform of the WTO,” *33 George Washington International Law Review* 503
(2001).
- “Stuffing New Wine Into Old Bottles: The Troubling Case of the IMF,” *3 Journal of
International Banking Regulation* 9 (2001).
- “The World Commission on Dams and Its Contribution to the Broader Debate on
Development Decision-Making,” *16 American University International Law
Review* 1531 (2001) (reprinted as “Mediating the Traumas of Techno-
Economic Change: A Case Study in Popular Input” in *The Future of Peace*, N.
Kittrie, H. Carazo and J. Mancham (eds) (2003).
- “Precedent Setting NGO Campaign Saves World Bank Inspection Panel,” *6 Human
Rights Brief*, No. 3, p. 74, May 1999.
- “A Legal Perspective on the Asian Crisis and Lessons for Africa,” *1 Banking &
Financial Law Journal of Ghana* 110 (1999).
- “The World Bank, the International Monetary Fund and Human Rights,” *6 Journal of
Transnational Law and Contemporary Problems* 68 (1996).
- “A Test Case for the World Bank,” *Am.U. J. Int'l. L. and Pol'y* 247 (1996).
- “Limited Mandates and Intertwined Problems: A New Challenge for the World Bank
and the IMF,” *17 Human Rights Quarterly* 411 (co-authored with Claudio
Grossman) (1995).
- “International Organizations and Private Complainants: The Case of the World Bank
Inspection Panel,” *34 Virginia Journal of International Law* 553 (1994).

“The World Bank's New Inspection Panel: A Constructive Step in the Transformation of the International Legal Order,” 54 *Zeitschrift für Ausländisches Öffentliches Recht und Völkerrecht* 392 (Max-Planck Institute) (co-authored with S. Schlemmer-Schulte) (1994).

“Are We Being Propelled Towards a People: Centered Transnational Legal Order?” 9 *Am. U. J. Int'l. L. and Pol'y* 1 (co-authored with Claudio Grossman) (1993).

“South African Worker and Community Groups and the Operations of the World Bank: A Program of Action” 1 *East African Journal of Peace and Human Rights* 224 (1993). (Reprinted in MULBERRY, *Mostly Unread Literature Bearing Extraordinarily Rich and Relevant Yields*, Series No. 4 (96), (Olive (ODST) Subscription Service, Durban, South Africa) (1996).

“Human Rights, Public Finance and the Development Process: A Critical Introduction,” 8 *Am.U.J. Int'l. L. and Pol'y* 1 (1992).

“Regional Developments in Africa,” 25 *The International Lawyer* 1053 (1991).

“Debt, Development and Human Rights: Lessons from South Africa,” 12 *Michigan Journal of International Law* 647 (1991).

BOOK CHAPTERS, MONOGRAPHS

“An Experiment in Creative Financing to Promote Reconciliation and Development In South Africa” in *Africa's Finances: The Contribution of Remittances*, R. Bardouille, M. Ndulo and M. Grieco (eds., 2008) (also available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=987506)

Entry on “The World Bank Group” in Robertson, Roland, and Jan Aart Scholte, eds. *Encyclopedia of Globalization*. (New York: Routledge, 2006)

“At the Mercy of Vultures: Sovereign Creditors in the Courts”, in *Ad Honorem Ion Dogaru: Studii Juridice Alese*, (Rumania, 2005), (with Ruxandra Burdescu)

“Operational Policies and Procedures and an Ombudsman”, in *Accountability of the International Monetary Fund*, B. Carin and A. Wood (eds., 2005)

“Best Practices and Key Issues to be Addressed in a Regulatory Framework for Public Debt Management,” (UNITAR Best Practices Series No. 4) (2003).

“The Changing Context for Negotiations with International Financial Institution and How African Countries Can Respond To It” (UNITAR Discussion Document No. 19) (2003).

- “Some Lessons About the Negotiating Dynamics in International Debt Transactions” (UNITAR Discussion Document No. 9) (2000).
- “The Review of the IMF’s Enhanced Structural Adjustment Facility” (UNITAR Discussion Documents No. 7) (2000).
- “The Role of The Lawyer in International Debt Operations in Developing Countries” (UNITAR Discussion Documents No. 6) (2000).
- “Legal Aspects of Foreign Investment in South Africa,” *Legal Aspects of Foreign Direct Investment*, D. Bradlow and A. Escher (eds.) (Kluwer Press) (1999).
- “Introduction,” *Legal Aspects of Foreign Direct Investment*, D. Bradlow and A. Escher (eds.) (Kluwer Press) (1999).
- “The Changing Operations of the World Bank and the International Monetary Fund, and Its Implications for Southern Africa,” *Democracy, Human Rights and Economic Development in Southern Africa*, N. Steytler (ed.) (Lex Patria Publishers, South Africa) (1997).
- “Adjusting the Bretton Woods Institutions to Contemporary Realities” (co-authored with Claudio Grossman), *Rethinking Bretton Woods*, J.M. Griesgraber and B.G. Gunter (eds.) (Pluto Press with the Center of Concern) (1996).
- “Negotiation Theory and Practice: Case Study: Negotiating With Commercial Banks” (UNITAR) (1996).
- “Negotiation Theory and Practice: Module on Negotiating With Bilateral Aid Agencies” (UNITAR) (1996).
- “Sources of International Funds,” *Debt and Financial Management: Legal Aspects*, (UNITAR) (1993).
- “International Financing Techniques,” *Debt and Financial Management: Legal Aspects*, (UNITAR) (1993).
- “The International Monetary Fund, The World Bank, and Debt Management,” *Debt and Financial Management: Legal Aspects*, (UNITAR) (1993).
- “Renegotiation and Enforcement of International Debt,” *Debt and Financial Management: Legal Aspects*, (UNITAR) (1993).
- “The Structure and Function of the International Monetary Fund,” *International Borrowing: Negotiating and Structuring International Debt Transactions*, Daniel D. Bradlow (editor) (International Law Institute) (1st edition 1984, 2nd edition 1986).

“Introduction to Legal Issues Raised by International Loan Agreements,” *International Borrowing: Negotiating and Structuring International Debt Transactions*, Daniel D. Bradlow (editor) (International Law Institute) (1st edition 1984).

NEWSPAPER AND MAGAZINE ARTICLES

“Add Your Voice To The Global Economic Anthem”, *The Exporter, Business Day* April 6, 2009

“Fixing the IMF”, on Foreign Policy in Focus on March 30, 2009, available at: <http://fpif.org/fpiftxt/6002>>

“The G20 and Sustainable IMF Reform” on VOXEU on March 18, 2009, available at: <http://www.voxeu.com/index.php?q=node/3285>>

"Charting a Progressive International Financial Agenda," (Washington, DC: Foreign Policy In Focus, December 8, 2008 available at: <http://fpif.org/fpiftxt/5723>>

“International Financial Reform and Africa: What Is To Be Done?”, Foreign Policy in Focus, November 20, 2008, available at: <http://www.fpif.org/fpiftxt/5684>>

“Africa Must Capitalize on the Crisis” *Mail & Guardian*, South Africa, October 24, 2008

“Better Ways to Solve This Than Through US Court”, *Business Day*, South Africa, May 28, 2008

"IMF Identity Crisis," (Silver City, NM and Washington, DC: Foreign Policy In Focus, December 12, 2006). Web location: <http://fpif.org/fpiftxt/3777> (reprinted in Online Asia Times, December 13, 2006 http://www.atimes.com/atimes/Global_Economy/HL13Dj01.html)

“IMF Must Make Staff More Accountable”, Letter to the Editor, *Financial Times*, September 25, 2006

“Reconciliation Bonds to Rebuild SA”, *Business Day*, South Africa, July 23, 2003

“R&D Bond Could Help in Reconciliation”, Letter to the Editor, *The Sunday Independent*, South Africa, July 6, 2003

“Bond Can Help Heal Apartheid’s Wounds”, *Business Day*, South Africa, May 6, 2002

“Qual è o objetivo do FMI na Argentina?”, *Epoca*, Brazil, April 8, 2002 (co-authored with R. Goldman and J. Levinson).

- “How IMF Can Prove Its Commitment to Internal Reform?” Letter to the Editor, *Financial Times*, July 20, 2000.
- “Managers Were Indifferent to Qinghai Pane’s Rules,” Letter to the Editor, *Financial Times*, July 7, 2000.
- “An Ombudsman For the IMF,” Letter to the Editor, *Washington Post*, September 24, 1999.
- “You Can Help Hold The World Bank Accountable,” *Monday Developments*, p. 8, May 9, 1994.
- “Keep the Bank on Its Toes,” *The Weekly Mail and Guardian*, p. 20, December 17-22, 1993.
- “The World Bank Votes to Establish an Inspection Panel,” *Third World Debt in the 1990's*, Issue No. 6, p. 2, Brussels, November 1993.
- “Deficient World Bank,” *West Africa*, 11-17 October 1993.
- “Why World Bank Needs an Ombudsman,” *Financial Times*, p. 13, July 14, 1993.
- “South Africa Must Promote Democratic Development Now,” *Daily Mail*, August 22, 1990.
- “Hearing on the Code,” *The CTC Reporter*, No. 24, Autumn 1987. (United Nations Centre on Transnational Corporations).

CONFERENCE PROCEEDINGS

- “The Changing International Business Context and the Challenge it Poses for the Education of International Business Lawyers”, Proceedings of the Conference on “The Law of International Business Transactions: A Global Perspective” International Association of Law Schools, Hamburg, Germany, (April, 2008)
- “The Governance of International Financial Institutions: The Need for Reform”, Proceedings of the 2003 Hague Joint Conference on Contemporary Issues of International Law, The Hague, Netherlands, (July 2003) (TMC Asser Press)
- “The Role of the World Bank in Post-Conflict Situations,” Proceedings of the 95th Annual Meeting of the American Society of International Law, Washington, DC (April 2001).
- “Rapidly Changing Functions and Slowly Evolving Structures: The Troubling Case of the IMF,” Proceedings of the 94th Annual Meeting of the American Society of International Law, Washington, DC (April 2000).

“A Legal Perspective on the Asian Crisis and Lessons for Africa” Proceedings of the Tenth Annual Conference, The African Society of International and Comparative Law, Addis Ababa, Ethiopia (August 1998).

“Roundtable on The Accountability of International Organizations to Non-State Actors” Proceedings of the 92nd Annual Meeting of the American Society of International Law, pp. 359-360 (April 1998).

“Greater Public Accountability Will Improve The Efficacy of the Multilateral Development Banks,” The Proceedings of the 5th Annual Conference of the African Society of International and Comparative Law, Accra, Ghana (1993).

COMPACT DISCS

“Guidance Document on Debt and Financial Management: Preparing a National Profile to Assess the National Infrastructure for Sound Financial Management” (UNITAR) (1998-99).

SUBMISSIONS TO OFFICIAL BODIES

“The Governance of the IMF: The Need for Comprehensive Reform,” (prepared for G24 Technical Committee) available at www.g24.org/brad0906.pdf (2006) (also available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=92846

“Study on An Inspection Function for the African Development Bank Group” (prepared for African Development Bank Group) (November 2003).

“Comments on “Making the IMF’s Independent Evaluation Office (EVO) Operational: A Background Paper” (submitted to the IMF) (September 2000).

Cropper, A; Bradlow, D; and Halle M. 2000 “Regulation, Compliance, and Implementation” Thematic Review Paper, Vol. 4. (Prepared as an input to the World Commission on Dams, Cape Town, www.dams.org).

Comments on the Report of the Inspection Panel Working Group Entitled “Second Review of the Inspection Panel 1998 Clarification of Certain Aspects of the Resolution” (submitted to World Bank Group) (March 1999).

“The Case for a World Bank Ombudsman,” *Hearings on Appropriations for International Financial Institutions*, US House of Representatives Banking, Finance, Trade and Monetary policy (May 1993).

Testimony on “The Need for a World Bank Ombudsman,” Sub-Committee on International Financial Institutions, Standing Committee on Finance, Canadian House of Commons, Ottawa, Canada (February 1993).

“Statement on H.R. 3458: The South African Financial Sanctions for Democracy Amendment Act,” Hearings of the Subcommittee in International Development, Finance, Trade and Monetary Policy of the Committee on Banking, Finance and Urban Affairs, U.S. House of Representatives (February 22, 1990).

“Statement on the Rescheduling of the Republic of South Africa’s Debt,” Hearings of the Subcommittee in International Development, Finance, Trade and Monetary Policy of the Committee on Banking, Finance and Urban Affairs, U.S. House of Representatives (August 1, 1989).

EDITOR

Legal Aspects of Foreign Direct Investment, (co-editor), (Kluwer Press) (1999).

Debt and Financial Management: Legal Aspects, UNITAR Training Package (UNITAR) (1993).

International Borrowing: Negotiating and Structuring International Debt Transactions, International Law Institute (1st edition 1984; 2nd edition 1986; European edition: Martinus Nijhoff, 1986) (3rd edition, 1994).

Judicial Enforcement of International Debt Obligations, International Law Institute (co-editor with David Sassoon) (1987).

Editor, *African Law Committee Newsletter* (August 1990-1993).

TEACHING MATERIALS

Class subject materials: International Financial Law and Development Finance; International Monetary Law; Legal Aspects of Foreign Direct Investment; International Financial Institutions.

“*Negotiating Financial Transactions*,” On-Line Training Course, UNITAR (2003).

Teaching International Economic Law: Part 1 (Public International Law Issues, International Trade and Investment), prepared for workshop on “Teaching International Economic Law,” University of the North, South Africa (October 1996).

Teaching International Economic Law: Part 2 (Transfers of Technology. International Financial Law, Dispute Resolution), prepared for workshop on “Teaching International Economic Law,” University of the North, South Africa (May 1997).