

## Civil Society Letter concerning the draft UN Resolution on “External Debt Sustainability and Development”

15 November 2019

Dear Ambassador,

We welcome the innovations in this year’s draft UN General Assembly Resolution on “External Debt Sustainability and Development” (A/C.2/74/L.9). The new wave of debt crises threatens to derail the 2030 Development Agenda and undermines or even reverses progress towards the SDGs in many countries. This is why we were delighted to see that the UN General Assembly, as the premier forum for multilateral cooperation, considered new steps to strengthen debt crisis prevention and resolution.

Countries affected by climate disasters such as hurricanes are particularly hard hit by debt crises, a concern also stressed by CARICOM at the [10 October session on debt issues](#) held by the UN General Assembly’s Economic and Financial Committee. According to the recent [report of the UN Secretary General on External Debt Sustainability and Development](#), the external debt of Small Island Developing States has increased 20-fold since the year 2000, with climate disasters playing a major role.

The climate actions listed in paragraph 19 of the draft resolution - comprising the establishment of an interest-free financing facility, temporary debt moratoria to safeguard social spending, and a mechanism to restructure a country’s public external debt – are essential steps for the international community to support countries simultaneously affected by the interlinked challenges of climate disasters and heavy debt burdens. Independent from the negotiations ongoing at the General Assembly, more than [50 CSOs and CSO networks have already signed](#) a petition that calls for similar actions as outlines in the draft Resolution. We call on all UN Member States to adopt the paragraph and work immediately on the implementation of the instruments mentioned.

We also welcome the overdue proposal to set up a legal advisory service for sovereign debt workouts as mentioned in paragraph 24 of the draft resolution. Insufficient legal capacities by insolvent debtor countries that need to address their debt overhangs have contributed to a situation where debt restructurings are conducted in a suboptimal manner, causing avoidable development damage and unnecessary costs for all parties concerned.

Moreover, predatory vulture funds are exploiting this situation through aggressive litigation against debtors. There is abundant evidence of cases where insolvent sovereigns had to buy out predatory vulture funds using tax revenue that was meant to fund public services, or divert ODA inflows that were meant to finance development projects (see for example the 2019 report of the UNHRC Advisory Committee [A/HRC/41/51](#)). This situation is unacceptable for citizens and taxpayers. The proposed legal advisory service is a good first step to improve the debt restructuring regime, to support partner countries that fall victim to predatory litigation, and to protect tax revenues and scarce ODA budgets for SDG implementation. We urge you to adopt the language in the paragraph and work on immediate implementation.

We also welcome the calls from the LDC Group and CARICOM in the Second Committee to urgently work towards a multilateral legal framework for comprehensive sovereign debt restructuring. There is also unfinished work on building a global consensus on guidelines for debtor and creditor responsibilities in borrowing and lending to sovereigns as agreed in the 2019 FfD Forum outcome document and Addis Ababa Action Agenda. We thus urge the Economic and Social Council, as encouraged by the General Assembly, in its [resolution 70/190](#), to consider at its forum on financing for development follow up on how to improve sovereign debt restructuring, as by establishing an open-

ended intergovernmental and multistakeholder working group to work towards these multilateral solutions to strengthen the legal framework for debt crisis prevention and resolution.

Yours sincerely

Afrodad

Africa Development Interchange Network (ADIN)

Both Ends – Netherlands

Brot für die Welt - Germany

CCFD - Terre Solidaire

Christian Aid

Citizen Debt Audit Platform (PACD) -Spain

Debt Free Project - Greece

Debt Justice Norway

Ecumenical Akademy - Czech Republic

Enabanda - Slovenia

Erlassjahr.de – Jubilee Germany

Eurodad

Freedom from Debt Campaign of Pakistan

Friends of the Earth Hungary

Gestos - Brasil

Global Policy Forum

Instytut Globalnej Odpowiedzialności (IGO) - Poland

Institute for Social & Economic Justice Pakistan

Jesuit Centre for Theological Reflection - Zambia

Jubilee Debt Campaign UK

Jubilee Scotland

Jubilee USA

Latindadd

Maryknoll Fathers and Brothers, USA

Norwegian Church Aid - Norway

Observatorio de la Deuda en la Globalización - Spain

Observatorio Mexicano de la Crisis

Oikos - Portugal

Planned Governance Network - Zambia

Plateforme dette et développement - France

Réseau Foi et Justice Afrique-Europe

Save the Children

Servicios Ecumenicos para Reconciliacion y Reconstruccion (SERR) - USA

Stamp Out Poverty - UK

Sisters of Charity Federation - USA

Social Justice in Global Development

Society for International Development

Uganda Debt Network - Uganda

Undebted World - Greece

Zimbabwe Coalition on Debt and Development (ZIMCODD)

Zimbabwe United Nations Association