

**UNITED NATIONS  
HIGH LEVEL DIALOGUE on FINANCING for DEVELOPMENT**

**Informal interactive dialogue**

Presented by: PHILO MORIS

**Chair Emerita – NGO Committee on FFD**

**Representing  
Medical Mission Sisters &  
Anglican Communion at the United Nations &  
Partnering with Church World Service**

**3 – 5.45 p.m.  
October 24, 2007**

Thank you President,

**Fair and Transparent Arbitration Procedure (FTAP)**

We call for a neutral debt workout process, which draws from the experience of insolvency procedures such as in Chapter 9 of the US Civil Code, which regulates insolvency cases of municipalities. The aim is setting up of a fair and transparent arbitration procedure to address unsustainable debt burdens, based on neutral decision making body, the right of all stakeholders to heard, the protection of debtor's basic needs, and the institution of **automatic standstill protection**.

Developing binding independent and predictable framework for arbitrating and managing sovereign debt. **We recommend** for a debt crisis resolution framework, include the following conditions:

- An **independent authority** should make all decisions on the claims of the parties,
- The debtor country should be able to initiate a unilateral process where they obtain immediate **standstill protection** – endorsed by the independent authority.
- The independent authority in charge of the process should be explicitly empowered to rule on whether debts are **illegitimate** or **odious**.

