



ABSTRACT:

THE LEGAL FRAMEWORK OF SOVEREIGN DEBT MANAGEMENT

Historically, international financial crises do not occur in isolation but rather go hand in hand with the deterioration of macroeconomic indicators, investor panic and speculation. Until recently, the sovereign debt issue has principally concerned developing countries. However, the recent financial turmoil has revealed that developed countries can similarly be severely affected. Since the beginning of the 20th century, experts in international law have periodically discussed the possible remedies to the endemic situation of sovereign indebtedness. In 2001, the International Monetary Fund launched a proposal for a Sovereign Debt Restructuring Mechanism known as the 'Krueger Plan'; this was quickly abandoned in 2003. Due to the present economic and political cul-de-sac, the legal framework of sovereign debt management strongly preoccupies the international community. The current sovereign debt scenario necessarily involves an irreversible disruption of the legal rules and structures that currently support a proper functioning global economy. This doctoral thesis analyses the evolution of the legal framework and the normative choices favoured by each actor. Identifying which particular legal issues are essential to evaluate such complexity allows us to deepen the theoretical and practical suggestions designed to facilitate the resolution of sovereign debt crises. After establishing the leading international requirements for sovereign debt management, this dissertation advocates the implementation of a normative set of tools designed to integrate domestic regulations on the basis of previous models.

Keywords: Sovereign Debt, International Economic Law, Legal Framework, International Finance.