

**No. 19294**

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**SWITZERLAND  
and  
SUDAN**

**Agreement on the consolidation of Sudanese debts. Signed  
at Berne on 1 April 1980**

*Authentic texts: English and French.*

*Registered by Switzerland on 22 November 1980.*

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**SUISSE  
et  
SOUDAN**

**Accord de consolidation de dettes soudanaises. Signé à  
Berne le 1<sup>er</sup> avril 1980**

*Textes authentiques: anglais et français.*

*Enregistré par la Suisse le 22 novembre 1980.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE SWISS CONFEDERATION AND THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN ON THE CONSOLIDATION OF SUDANESE DEBTS

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The Government of the Swiss Confederation and the Government of the Democratic Republic of the Sudan,

In an endeavour to act in accordance with the recommendations adopted at the meeting of representatives of the Sudanese Government and of representatives of the Governments of European creditor countries, of the United States of North America, and of Japan, held on November 12 and 13, 1979, in Paris,

Have agreed on the following provisions:

*Article 1.* 1. The present Agreement shall apply to Sudanese debts of principal and interest which fell due and have not yet been paid or falling due between 1 October 1979 and 30 June 1981, by virtue of commercial credits guaranteed by the Swiss Confederation, of a maturity of more than a year's duration and having been the subject of a contract concluded prior to 1 January, 1979.

2. For debts falling due between 1 July 1980 and 30 June 1981, the application of the present Agreement is subject to the condition mentioned in article 4, paragraph D, of the agreed minute on the consolidation of the Democratic Republic of the Sudan's debts signed in Paris, on November 13, 1979.

The entry into force of the provisions of the present Agreement as far as the debts falling due between 1 July 1980 to 30 June 1981 are concerned is consequently subject to an exchange of letters between the two Governments which should take place prior to 1 August 1980, to ascertain that this condition is fulfilled and to permit in this case the application of the present Agreement.

*Article 2.* The Swiss Government shall grant the Sudanese Government for the debts falling due as defined in article 1, paragraph 1, a credit amounting to 85 per cent of the payments to be made to Swiss creditors.

This credit shall not exceed the amount of 16 million Swiss francs.

*Article 3.* The Sudanese debt, defined in article 2, shall be financed according to the following conditions:

1. As concerns the maturities falling due between 1 October 1979, inclusive, and the entry into force of the present Agreement:

1.1. The Bank of Sudan, as agent of the Government of the Democratic Republic of the Sudan (hereafter called the Bank of Sudan), shall forward, not later than 30 June 1980, a statement of the maturities concerned to a bank which is to be specified as well as a payment corresponding to 15 per cent of the total sum of the maturities concerned. At the same time it shall forward payment orders in Swiss francs corresponding to the list of beneficiaries and to their banks.

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<sup>1</sup> Came into force on 28 June 1980, the date on which the Parties notified each other that the constitutional requirements had been completed, in accordance with article 9.

- 1.2. The Bank of Sudan shall forward a copy of this statement to the Federal Office for Foreign Economic Affairs in Berne and to the Export Credit Guarantee Office in Zurich.
  - 1.3. The Federal Office for Foreign Economic Affairs, through the Federal Office for Payments and Accounts of the Swiss Confederation, shall put at the disposal of the Bank of Sudan an amount of Swiss francs corresponding to 85 per cent of these payment orders to settle matters with the Swiss creditors. The Federal Office for Payments and Accounts shall credit the amounts corresponding to this advance to a bank to be specified for the benefit of the interested Swiss banks or firms and shall debit the Bank of Sudan with the corresponding amount.
2. As concerns the maturities falling due from the date of entry into force of the present Agreement and up to 30 June 1981, inclusive (subject to the provisions of article 1, paragraph 2 above):
    - 2.1. The Bank of Sudan shall forward at the beginning of each month to a bank which is to be specified a statement of maturities of the current month as well as a payment corresponding to 15 per cent of the total amount of the maturities concerned. At the same time it shall forward payment orders in Swiss francs corresponding to the list of beneficiaries and to their banks.
    - 2.2. The Bank of Sudan shall forward a copy of this statement to the Federal Office for Foreign Economic Affairs in Berne and to the Export Credit Guarantee Office in Zurich.
    - 2.3. The Federal Office for Foreign Economic Affairs, through the Federal Office for Payments and Accounts of the Swiss Confederation, shall put at the disposal of the Bank of Sudan an amount of Swiss francs corresponding to 85 per cent of these payment orders to settle matters with the Swiss creditors. The Federal Office for Payments and Accounts shall credit the amounts corresponding to this advance to a bank to be specified for the benefit of the interested Swiss banks or firms and shall debit the Bank of Sudan with the corresponding amount.

*Article 4.* The Sudanese Government shall pay on the capital which appears on the account of the Bank of Sudan an interest at the rate of 6,4 per cent to the Federal Office for Payments and Accounts in Berne from the date of contractual maturity. Interest shall be paid on 30 June and 31 December of each year, the first payment falling due on 31 December 1980.

*Article 5.* The Sudanese Government shall reimburse as follows the credit granted by the Swiss Government in application of article 2 of the present Agreement:

1. Credit with contractual maturities between 1 October 1979 and 30 June 1980, inclusive: in 14 equal and consecutive half yearly payments, the first payment falling due on 30 June 1983.
2. Credit with contractual maturities between 1 July 1980 and 30 June 1981, inclusive: in 14 equal and consecutive half yearly payments, the first payment falling due on 30 June 1984.

*Article 6.* The payment of interest and debt redemption shall be made in freely convertible Swiss francs to the account of the Federal Office for Payments and Accounts of the Swiss Confederation with the Swiss National Bank in Berne.

*Article 7.* The Sudanese Government shall undertake:

- (a) To grant Switzerland a treatment no less favourable than that granted to any other creditor country for the consolidation of debts at comparable terms, excluding matters relating to interest rates;
- (b) To inform the Swiss Government of the provisions of any debt consolidation agreement it might conclude, as mentioned in paragraph (a) of this article.

*Article 8.* The Swiss claims due up to the present date and not falling under the provisions of the previous articles, particularly the arrears having been due prior to 1 October 1979, amounting to a small sum, shall be transferred not later than 31 December 1980.

*Article 9.* The present Agreement shall come into effect as soon as the two Contracting Parties have notified each other that the constitutional requirements for the entry into force of the Agreement have been completed.

IN WITNESS WHEREOF the undersigned plenipotentiaries, duly authorized, have signed the present Agreement.

DONE in two copies, in Berne, on 1 April 1980, in English and French, both texts being equally authoritative.

For the Government  
of the Swiss Confederation:  
[Signed—Signé]<sup>1</sup>

For the Government of the Democratic  
Republic of the Sudan:  
[Signed—Signé]<sup>2</sup>

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<sup>1</sup> Signed by E. Moser—Signé par E. Moser.

<sup>2</sup> Signed by Ibrahim Wasfi—Signé par Ibrahim Wasfi.