

**No. 18931**

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**BRAZIL  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement relating to deliveries of machinery and equipment from the USSR to Brazil and deliveries of Brazilian goods to the USSR. Signed at Brasília on 24 March 1975**

**Exchange of notes constituting an agreement amending the above-mentioned Agreement. Brasília, 26 June 1978**

*Authentic texts: Portuguese and Russian.*

*Registered by Brazil on 13 June 1980.*

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**BRÉSIL  
et  
UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES**

**Accord relatif à la fourniture de machines et d'équipement par l'URSS au Brésil, et à la fourniture de marchandises par le Brésil à l'URSS. Signé à Brasília le 24 mars 1975**

**Échange de notes constituant un accord modifiant l'Accord susmentionné. Brasília, 26 juin 1978**

*Textes authentiques : portugais et russe.*

*Enregistrés par le Brésil le 13 juin 1980.*

[TRANSLATION — TRADUCTION]

## AGREEMENT<sup>1</sup> RELATING TO DELIVERIES OF MACHINERY AND EQUIPMENT FROM THE USSR TO BRAZIL AND DELIVERIES OF BRAZILIAN GOODS TO THE USSR

The Government of the Federative Republic of Brazil and the Government of the Union of Soviet Socialist Republics, wishing to promote the expansion and diversification of trade between the two countries, and pursuant to the Trade and Payments Agreement between the United States of Brazil and the Union of Soviet Socialist Republics of 20 April 1963,<sup>2</sup> have agreed as follows:

*Article 1.* Brazilian public or private organizations, hereinafter referred to as the Buyers, shall purchase in the Soviet Union, and Soviet foreign trade organizations, hereinafter referred to as the Sellers, shall sell to the Brazilian organizations various types of machinery and equipment on deferred payment terms.

Contracts may stipulate the provision of services for the execution of planning, surveying and assembly operations on the same deferred payment terms.

Contracts for the sale and purchase of machinery and equipment and for the provision of services shall be concluded for a period of three years from the date of signature of this Agreement. During this period the Parties shall, where necessary, review the results achieved on the basis of the experience acquired.

*Article 2.* The Sellers shall grant to the Buyers, in accordance with this Agreement, deferred payment terms, for a period of up to ten years, depending on each individual transaction, at interest rates of 4.5 per cent a year for contracts with Brazilian public or semi-public organizations and enterprises and at interest rates of 5 per cent a year for contracts with private organizations.

In order to guarantee payments arising from the contracts, including interest, the Buyers shall present to the Sellers, within 60 days of the date of signature of the contracts, the endorsement or guarantee of the Banco do Brasil, S.A., either directly or as an agent of the National Treasury.

*Article 3.* Payments for machinery and equipment delivered under this Agreement shall be effected in United States dollars or in another freely convertible currency, according to the following schedule:

- (a) Five per cent of the total value of the contract within 15 working days of the date of issuance of the certificate of registration by the Central Bank of Brazil, the Buyer being obliged to apply to the Central Bank of Brazil no later than 15 working days after the signature of the contract. If the certificate of registration has not been issued within 90 days of the date of signature of the contract, the Seller may annul the contract;
- (b) Ten per cent of the value of each shipment upon presentation of on-board bills of lading;

<sup>1</sup> Came into force on 24 March 1975 by signature, in accordance with article 10.

<sup>2</sup> United Nations, *Treaty Series*, vol. 646, p. 235.

- (c) The remaining 85 per cent of the value of each shipment shall be paid in equal successive payments every six months; the number of payments shall not exceed 17 and the first payment shall be effected within a period not exceeding 24 months of the date of the delivery of the machinery and equipment.

It is understood that the said 24-month period shall be included in the total period of deferred payment established in the contract.

For each shipment, the date of the on-board bill of lading shall be considered as the date of delivery of the machinery and equipment.

*Article 4.* The interest referred to in article 2 shall accrue from the date of delivery of the machinery and equipment and shall be paid simultaneously with the payment of the principal.

*Article 5.* Payments under contracts concluded on the basis of this Agreement shall be made by the Soviet Party through the Foreign Trade Bank of the USSR and by the Brazilian Party through the Banco do Brasil, S.A., acting as the agent responsible for administering the deferred payments provided for under this Agreement.

*Article 6.* Soviet foreign trade organizations shall use the funds received for machinery and equipment sold under this Agreement for the purchase on standard commercial terms of Brazilian goods, 30 per cent of which shall be manufactured and semi-manufactured articles.

*Article 7.* In contracts for the delivery of Soviet machinery and equipment or for the delivery of Brazilian goods, the parties to the contract shall indicate that the contract is concluded under this Agreement.

*Article 8.* Both Governments shall take the necessary measures to facilitate the conclusion and performance of contracts in accordance with the provisions of this Agreement.

*Article 9.* In all matters not covered in this Agreement and relating to transactions concluded under its terms, the provisions of the Trade and Payments Agreement between the United States of Brazil and the Union of Soviet Socialist Republics of 20 April 1963 shall apply, with due regard for the modifications introduced by the Contracting Parties in the exchange of notes of 14 April 1969.<sup>1</sup>

*Article 10.* This Agreement shall enter into force on the date of its signature and shall remain in force until all the obligations deriving therefrom for both Parties have been fulfilled.

DONE at Brasília on 24 March 1975 in duplicate in the Portuguese and Russian languages, each text being equally authentic.

For the Government  
of the Federative Republic  
of Brazil:

ANTONIO F. AZEREDO DA SILVEIRA

For the Government  
of the Union of Soviet  
Socialist Republics:

ALEKSEI N. MANJULO

<sup>1</sup> See p. 361 of this volume.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE FEDERATIVE REPUBLIC OF BRAZIL AND THE UNION OF SOVIET SOCIALIST REPUBLICS AMENDING THE AGREEMENT OF 24 MARCH 1975 RELATING TO DELIVERIES OF MACHINERY AND EQUIPMENT FROM THE USSR TO BRAZIL AND DELIVERIES OF BRAZILIAN GOODS TO THE USSR<sup>2</sup>

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD<sup>1</sup> ENTRE LA RÉPUBLIQUE FÉDÉRATIVE DU BRÉSIL ET L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES MODIFIANT L'ACCORD DU 24 MARS 1975 RELATIF À LA FOURNITURE DE MACHINES ET D'ÉQUIPEMENT PAR L'URSS AU BRÉSIL, ET À LA FOURNITURE DE MARCHANDISES PAR LE BRÉSIL À L'URSS<sup>2</sup>

## I

[RUSSIAN TEXT — TEXTE RUSSE]

г. Бразилия, 26 июня 1978 года

Господин Министр,

Ссылаясь на третий абзац Статьи 1 Соглашения о поставках машин и оборудования из СССР в Бразилию и о поставках бразильских товаров в СССР, подписанного 24 марта 1975 года, имею честь довести до сведения Вашего Превосходительства, что Правительство моей страны согласно продлить до 24 марта 1979 года срок заключения предусмотренных в нем контрактов.

Понимается при этом, что остальные условия указанного выше Соглашения остаются без изменения.

В случае, если Правительство Вашей страны согласно с вышеизложенным, эта нота и нота Вашего Превосходительства, в ответ на настоящую ноту, составят соглашение между двумя Правительствами.

Пользуюсь случаем, чтобы возобновить Вашему Превосходительству уверения в моем самом высоком уважении.

[Signed — Signé]<sup>3</sup>

Его Превосходительству  
Господину Антонию Ф. Азередо да Силвейра  
Министру Иностранных Дел  
Федеративной Республики Бразилии

<sup>1</sup> Came into force on 26 June 1978 by the exchange of the said notes.

<sup>2</sup> See p. 204 of this volume.

<sup>3</sup> Signed by Dmitri A. Zhukov.

<sup>1</sup> Entré en vigueur le 26 juin 1978 par l'échange desdites notes.

<sup>2</sup> Voir p. 206 du présent volume.

<sup>3</sup> Signé par Dmitri A. Joukov.

[TRANSLATION]

Brasília, 26 June 1978

Sir,

With reference to article 1, paragraph 3, of the Agreement relating to Deliveries of Machinery and Equipment from the USSR to Brazil and Deliveries of Brazilian Goods to the USSR, signed on 24 March 1975, I have the honour to inform you that my Government agrees to the extension until 24 March 1979 of the period for the conclusion of the contracts provided for therein.

It is understood that the remaining provisions of the above-mentioned Agreement shall remain unchanged.

If your Government agrees to the above, this note and your reply shall constitute an agreement between the two Governments.

I take this opportunity, etc.

[DMITRI A. ZHUKOV]

H.E. Mr. Antonio F. Azeredo da Silveira  
Minister for Foreign Affairs of the Federative Republic of Brazil

[TRADUCTION]

Brasília, le 26 juin 1978

Monsieur le Ministre,

Me référant au 3<sup>e</sup> alinéa de l'article premier de l'Accord du 24 mars 1975 relatif à la fourniture de machines et d'équipement par l'URSS au Brésil, et à la fourniture de marchandises par le Brésil à l'URSS, j'ai l'honneur de porter à votre connaissance que le gouvernement de mon pays souscrit à la prorogation jusqu'au 24 mars 1979 du délai prévu pour la conclusion des contrats visés par l'Accord.

Il est entendu que les autres dispositions de l'Accord susmentionné restent sans changement.

Si les propositions ci-dessus reçoivent l'agrément du gouvernement de votre pays, la présente note et la réponse de Votre Excellence en ce sens constitueront un Accord entre les deux gouvernements.

Je saisis cette occasion, etc.

[DMITRI A. JOUKOV]

S. E. Monsieur Antonio F. Azeredo da Silveira  
Ministre des affaires étrangères de la République fédérative du Brésil

## II

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

Em 26 de junho de 1978

DE-II/DAI/JO/665.13(F45)(B46)

Senhor Embaixador,

Tenho a honra de acusar recebimento da Nota de Vossa Excelência, desta data, cujo texto é o seguinte:

“Senhor Ministro, Com referência ao Artigo 1, terceiro parágrafo, do Acordo sobre o Fornecimento de Maquinaria e Equipamentos da URSS ao Brasil e sobre Fornecimento de Mercadorias Brasileiras à URSS, concluído em 24 de março de 1975, tenho a honra de levar ao conhecimento de Vossa Excelên-

cia que o Governo de meu país está de acordo em prorrogar, até o dia 24 de março de 1979, o prazo para a celebração dos contratos nele previstos.

Entende-se que as demais estipulações do Acordo em apreço permanecem sem alteração.

Caso o Governo de seu país concorde com o que antecede, esta Nota e a de Vossa Excelência, em resposta à presente, constituirão acordo entre os dois Governos.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração. *a) Dmitri A. Jukov.*"

2. Em resposta, é-me grato informar Vossa Excelência de que o Governo de meu país concorda com o teor da Nota acima transcrita, que passa a constituir, juntamente com a presente, acordo entre os dois Governos.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração.

ANTONIO F. AZEREDO DA SILVEIRA

A Sua Excelência o Senhor Dmitri A. Jukov  
Embaixador Extraordinário e Plenipotenciário  
da União das Repúblicas Socialistas Soviéticas

[TRANSLATION]

[TRADUCTION]

26 June 1978

Le 26 juin 1978

DE-II/DAI/JO/665.13(F45)(B46)

DE-II/DAI/JO/665.13(F45)(B46)

Sir,

Monsieur l'Ambassadeur,

I have the honour to acknowledge receipt of your note of today's date, which reads as follows:

J'ai l'honneur d'accuser réception de la note de Votre Excellence en date de ce jour et dont la teneur est la suivante :

[See note I]

[Voir note I]

In reply, I am pleased to inform you that my Government agrees to the contents of the foregoing note which, together with this note, shall constitute an agreement between the two Governments.

En réponse, j'ai l'honneur de vous informer que, ces dispositions recueillant l'agrément du gouvernement de mon pays, votre note et la présente réponse constituent l'accord intervenu entre les deux gouvernements.

I take this opportunity, etc.

Je saisis cette occasion, etc.

ANTONIO F. AZEREDO DA SILVEIRA

ANTONIO F. AZEREDO DA SILVEIRA

His Excellency Mr. Dmitri A. Zhukov  
Ambassador Extraordinary and Plenipotentiary of the Union of Soviet Socialist Republics

Son Excellence M. Dmitri A. Joukov  
Ambassadeur extraordinaire et plénipotentiaire de l'Union des Républiques socialistes soviétiques