

FINANCE

Debt Rescheduling

**Agreement Between the
UNITED STATES OF AMERICA
and UKRAINE**

With Annexes

Signed at Kyiv March 28, 2024

Entered into force June 7, 2024



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND UKRAINE
REGARDING THE CONSOLIDATION AND RESCHEDULING OF CERTAIN DEBTS
OWED TO THE UNITED STATES GOVERNMENT AND ITS AGENCY

The United States of America (the “United States”) and Ukraine, represented by the Minister of Finance of Ukraine, agree as follows:

ARTICLE I

Application of the Agreement

1. In accordance with the recommendations contained in the Group of Creditors of Ukraine Memorandum of Understanding on the Debt Service Suspension of Ukraine, signed on September 14, 2022, and in accordance with the applicable domestic laws of the United States and Ukraine, the United States and Ukraine agree herein to the consolidation and rescheduling of certain payments as set forth below arising from debts that are owed to the United States Department of Agriculture (“USDA”).
2. Debt service due as a result of debt payments described below in Article II, paragraph 2, and effected through special payment mechanisms or other external accounts is covered by this Agreement.
3. USDA will notify Ukraine of the amounts due hereunder.
4. This Agreement will be further implemented by a separate agreement (the “CCC Implementing Agreement”) between the Commodity Credit Corporation (“CCC”), an agency and instrumentality of the United States within USDA, and Ukraine.

ARTICLE II

Definitions

1. "Contract" means the agreement between the CCC and the Ministry of Industry of Ukraine for Sales of Agricultural Commodities, signed on July 25, 1997.

The Contract to be included under the rescheduling is listed in Annex A.

2. "Debt" means 100 percent of the amounts of principal and interest due during the Deferral Period on the Contract specified in paragraph 1 of this Article.

A table summarizing the amount of Debt owed to USDA is attached hereto as Annex B.

3. "Deferral Period" means August 1, 2022, through December 31, 2023, inclusive.
4. "Interest" means interest payable in accordance with the terms of this Agreement and the CCC Implementing Agreement.
5. "MOU" means the Group of Creditors of Ukraine Memorandum of Understanding on the Debt Service Suspension of Ukraine, signed on September 14, 2022.
6. "Participating Creditor Countries" means Canada, France, Germany, Japan, the United Kingdom, and the United States.

ARTICLE III

Terms and Conditions

1. Ukraine agrees to repay the Debt, as well as capitalized Interest on that amount as described in paragraph 3 of this Article, in ten (10) successive and semi-annual installments, the first installment on June 15, 2027, and the last installment on December 15, 2031, as follows:

June 15, 2027 – 10 percent

December 15, 2027 – 10 percent

June 15, 2028 – 10 percent

December 15, 2028 – 10 percent

June 15, 2029 – 10 percent

December 15, 2029 – 10 percent

June 15, 2030 – 10 percent

December 15, 2030 – 10 percent

June 15, 2031 – 10 percent

December 15, 2031 – 10 percent.

2. Interest shall accrue on the Debt at its current rate under the Contract, which is 4.00 percent.
3. Interest accruing on the Debt from December 5, 2022 (being the date that the payment rescheduled under this Agreement was originally due under the Contract), through December 31, 2023, inclusive, shall be capitalized on December 31, 2023, and paid in accordance with the

terms and conditions set forth in paragraph 1 of this Article. A table summarizing the amount of capitalized Interest owed to USDA in respect of the period above is attached hereto as Annex C.

4. Interest shall accrue from January 1, 2024, on the Debt and on capitalized Interest as described in paragraph 3 of this Article at the rate set out in paragraph 2 of this Article. Interest under this paragraph 4 accruing in respect of the period from January 1, 2024, through December 15, 2026, inclusive, shall be paid in ten (10) successive and semi-annual installments, the first installment on June 15, 2027, and the last installment on December 15, 2031, as follows:

June 15, 2027 – 10 percent

December 15, 2027 – 10 percent

June 15, 2028 – 10 percent

December 15, 2028 – 10 percent

June 15, 2029 – 10 percent

December 15, 2029 – 10 percent

June 15, 2030 – 10 percent

December 15, 2030 – 10 percent

June 15, 2031 – 10 percent

December 15, 2031 – 10 percent.

Interest under this paragraph 4 accruing after December 15, 2026, shall be paid semi-annually on the dates set forth in this paragraph.

5. The Annexes constitute an integral part of this Agreement.
6. The Contract remains in full force and effect, consistent with its terms, except as those terms may be amended by this Agreement and the CCC Implementing Agreement.

ARTICLE IV

General Provisions

1. Ukraine agrees to devote the resources that otherwise would have been paid to the Participating Creditor Countries under the debts covered by the MOU to ensure social, health, or economic spending in response to Russia's war of aggression.
2. Ukraine agrees to seek from all its commercial and other bilateral official creditors a debt service treatment that is at least as favorable to Ukraine as the treatment recommended in the MOU.
3. Ukraine acknowledges that, upon request of a Participating Creditor Country or of the Chair of the Group of Creditors of Ukraine, the United States intends to make available a copy of this Agreement in order to inform other Participating Creditor Countries.
4. Ukraine agrees to pay all Debt and Interest to the United States and its agency in accordance with this Agreement, in United States dollars, without any deductions for taxes, fees, or other public charges or any other costs accruing inside or outside Ukraine.

ARTICLE V

Final Provisions

1. This Agreement, including its Annexes, may be amended by mutual written agreement of the United States and Ukraine.
2. This Agreement shall enter into force on the date of the written notice from the United States to Ukraine that all necessary U.S. domestic legal requirements for entry into force of the Agreement have been fulfilled.

Done at Kyiv, on the 28th of March, 2024, in duplicate, in the English language.

FOR THE UNITED STATES OF AMERICA FOR UKRAINE



Bridget A. Brink

U.S. Ambassador to Ukraine



Sergii Marchenko

Minister of Finance of Ukraine

Annex A

USDA Loan Number:

97UP1

Annex B

Summary of Eligible Debt Service Deferred (principal) (thousands of U.S. dollars)

USDA (PL-480)	\$472.55
Total	\$472.55

Summary of Eligible Debt Service Deferred (interest) (thousands of U.S. dollars)

USDA (PL-480)	\$18.90
Total	\$18.90

Annex C

Summary of Capitalized Interest (thousands of U.S. dollars)

USDA (PL-480)	\$21.059
Total	\$21.059