

Ref.: GMD/AME/WCA/IF/DAL/GM/MD/2024/204

Geneva, 6 September 2024

H.E. Mr. Sid’Ahmed Bouh

Minister of Economy and Finance
Ministry of Economy and Finance
Avenue Nelson Mandela
Nouakchott
The Islamic Republic of Mauritania

H.E. Mr. Mohamed Salem Merzoug

Minister of Foreign Affairs, African Cooperation and Mauritians Abroad
Ministry of Foreign Affairs, African Cooperation and Mauritians Abroad
Avenue Moustapha Ould Mohamed Saleck
Nouakchott
The Islamic Republic of Mauritania

Subject: Amendment to the Framework Agreement and conferral of privileges and immunities to the Global Fund

Your Excellencies,

Reference is made to the Framework Agreement between the Global Fund to Fight AIDS, Tuberculosis and Malaria (the “Global Fund”) and the Islamic Republic of Mauritania (the “Grantee”), which came into effect on 8 January 2016 (the “Framework Agreement”). Unless defined in this letter or the context otherwise requires, all capitalized terms used herein shall have the same meaning as set forth in the Framework Agreement.

The Global Fund has amended the Global Fund Grant Regulations (2014) as enclosed in Annex 1 of this letter (*Global Fund Grant Regulations (version 2) – redline*). The Global Fund is also seeking conferral of privileges and immunities by the Islamic Republic of Mauritania to the Global Fund by way of bilateral agreement as enclosed in Annex 2 of this letter (*Agreement between the Islamic Republic of Mauritania and the Global Fund on Privileges and Immunities, the “P&I Agreement”*).

Amendment to the Framework Agreement

Accordingly, this letter is to confirm our agreement to amend the Framework Agreement as follows:

1. All references to the “*Global Fund Grant Regulations (2014)*” in the Framework Agreement shall be replaced by “*Global Fund Grant Regulations (as amended from time to time)*”.
2. The following sections of the Framework Agreement are hereby deleted in their entirety and replaced with the following:

1.1 ***Incorporation by Reference.*** *All the provisions of the Global Fund Grant Regulations (version 2) available at the Global Fund’s Internet site are hereby made applicable to this Framework Agreement with the same force and effect as if they were fully set forth herein. Any amendments to the Global Fund Grant Regulations (version 2 or any subsequent version) shall be made applicable to this Framework Agreement with the same force and effect as if they were fully set forth herein, effective from the 30th calendar day of the Global Fund’s issuance of a written notification of such amendments to the Grantee and the Grantee’s no-objection within that period. Any objection to the amendments shall be communicated by the Grantee to the Global Fund in writing within 30 calendar days from the Global Fund’s issuance of the written notification and both parties agree to co-operate in good faith and within a reasonable time to resolve any such issues raised.*

4.2 ***Governing law.*** *This Framework Agreement, and the relevant Grant Agreement for each Program, shall be governed by the UNIDROIT Principles of International Commercial Contracts (2016).*

4.3 ***Notices.***

(1) *Any notice under the Framework Agreement or any Grant Confirmation given by one Party to the other Party (the “Notice”) shall be made in writing and delivered personally or by certified or registered mail (postage prepaid), by international courier, by fax, or by electronic messaging system to the relevant address and/or number described below, or to such other address(es) and/or number(s) as any Party may designate by written notice to the other Party in accordance with this Section:*

- (a) *if for a matter concerning a specific Program, to the relevant address and/or number set forth in the relevant Grant Confirmation; and*
- (b) *if for a matter concerning this Framework Agreement in general or having potential impact on more than one Program under this Framework Agreement, to the relevant address and/or number set forth below, or to such other address(es) and/or number(s) as any Party may designate by written notice to the other Party in accordance with this Section:*

For the Global Fund:

*The Global Fund to Fight AIDS, Tuberculosis and Malaria
Global Health Campus, Chemin du Pommier 40
1218 Grand-Saconnex, Geneva, Switzerland*

Attention: Mark Eldon-Edington
Head, Grant Management Division
Telephone: +41 587911700
Facsimile: +41 445806820
Email: Mark.Edington@theglobalfund.org

For the Grantee:

National Executive Secretariat for fight against Aids of the Islamic Republic of Mauritania, ZRC 506, BP 5461, Nouakchott, Islamic Republic of Mauritania

Attention: Prof. Abdallahi Ould Sidi Aly
Executive Secretary
Telephone: +222 45 25 93 62
Email: sidialy@senlsmr.org

- (2) Any Notice shall be deemed to have been duly given (a) when delivery to the receiving Party is complete if delivered in person or via international courier, (b) upon receipt if delivered by registered or certified mail, postage prepaid and (c) upon confirmation of successful transmission if sent by facsimile or electronic messaging system.
- (3) In the case of any communication to the Global Fund through the LFA as may be required under the relevant Grant Agreement, the Grantee or the relevant Principal Recipient acting on behalf of the Grantee shall submit such communication to the LFA representative whose details are set forth in the Grant Confirmation, following a principle similar to that described in sub-paragraph (2) of this Section above.
- (4) All communications under the relevant Grant Agreement shall be in English with a copy to the relevant CCM or, as the case may be, RCM or RO.

Except as specifically modified and amended herein, all of the provisions contained in the Framework Agreement shall remain in full force and effect.

This amendment letter shall be governed by the UNIDROIT Principles of International Commercial Contracts (2016).

By signing this letter, the Ministry of Economy and Finance represents that: (i) it has all necessary power, is duly authorized by or has all necessary consents, approvals and authorizations to execute and deliver this letter; and (ii) the execution, delivery and performance by the Ministry of Economy and Finance on behalf of the Grantee of this letter does not violate or conflict with applicable law, any provision of the Grantee's or the Ministry of Economy and Finance's constitutional documents, any order or judgment of any court or competent authority, or contractual restriction binding on or affecting the Grantee or the Ministry Economy and Finance.

Please indicate your acceptance of the above by countersigning this letter and returning it to us for our records. The amendments to the Framework Agreement will be effective upon the signing of this letter by the Ministry of Economy and Finance, on behalf of the Grantee.

Conferral of Privileges and Immunities by Islamic Republic of Mauritania to the Global Fund

The Grantee also acknowledges its obligations under Section 12(2) of the Global Fund Grant Regulations (as amended from time to time) and the Minister of Foreign Affairs, African Cooperation and Mauritians Abroad on behalf of the Grantee, confers on the Global Fund the privileges and immunities set forth in Annex 2 of this letter and undertakes faithfully to perform and carry out the stipulations contained therein.

Please indicate your acceptance of the above by countersigning the P&I Agreement enclosed in Annex 2 and returning it to us. The P&I Agreement shall become effective on the date of signature of the Agreement by the Executive Director of the Global Fund.

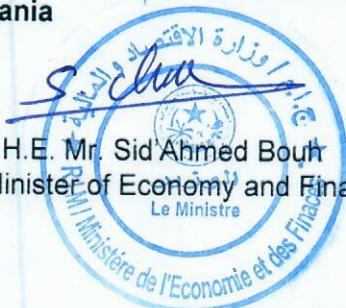
Thank you for your important efforts in the global fight against the three diseases and toward health systems strengthening.

Yours sincerely

Mark Eldon-Edington
Division Head
Grant Management

Amendments to the Framework Agreement agreed on behalf of the Islamic Republic of Mauritania

Name: H.E. Mr. Sid'Ahmed Bouh
Title: Minister of Economy and Finance
Date:



13 1 OCT 2024

Commitment by the Minister of Foreign Affairs, Cooperation, and Mauritians Abroad on behalf of the Islamic Republic of Mauritania to confer privileges and immunities to the Global Fund by countersigning the P&I Agreement enclosed in Annex 2

Name: H.E. Mr. Mohamed Salem Merzoug
Title: Minister of Foreign Affairs, African Cooperation and Mauritians Abroad
Date:

Annexes: Global Fund Grant Regulations (version 2) – redline
P&I Agreement
Framework Agreement dated as of 8 January 2016

Copy: Dr. Mohamed Abdallahi Moukah, CCM Chair

