

RESOLUTION NO. 137

AMENDMENT OF THE AGREEMENT ESTABLISHING THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT IN ORDER TO ENABLE THE BANK TO OPERATE IN COUNTRIES OF THE SOUTHERN AND EASTERN MEDITERRANEAN

THE BOARD OF GOVERNORS

Observing the historic changes occurring in North Africa and the Middle East;

Recalling Resolution No. 134, *Possible Geographic Expansion of the Bank's Region of Operations* adopted on 21 May 2011, by which the Board of Governors asked the Board of Directors to make recommendations to the Board of Governors with respect to, *inter alia*, an amendment of Article 1 of the Agreement Establishing the European Bank for Reconstruction and Development (the Agreement) providing for an appropriate regional extension to the geographic scope of the EBRD's mandate and an appropriate mechanism to grant recipient country status to member countries within such extended region, while ensuring that any such extension should not require additional capital contributions or compromise the agreed scope and impact of the Bank's operations in the existing recipient countries;

Recalling also the confirmation in the Board of Directors' Report on the Fourth Capital Resources Review (CRR4) for the period 2011-2015, which was endorsed by the Board of Governors in Resolution No. 128, that graduation remains a fundamental principle for the Bank;

Having considered and being in agreement with the report of the Board of Directors to the Board of Governors on the *Geographic expansion of the Bank's Region of Operations to the Southern and Eastern Mediterranean* and its recommendations, *inter alia*, that the Board of Governors approve an amendment of Article 1 of the Agreement in order to enable the Bank to operate in countries of the Southern and Eastern Mediterranean;

NOW THEREFORE HEREBY RESOLVES THAT:

1. Article 1 of the Agreement be amended to read as follows:

"ARTICLE 1: PURPOSE

In contributing to economic progress and reconstruction, the purpose of the Bank shall be to foster the transition towards open market-oriented economies and to promote private and entrepreneurial initiative in the Central and Eastern European countries committed to and applying the principles of multiparty democracy, pluralism and market economics. **Subject to the same conditions, the purpose of the Bank may also be carried out in Mongolia and in member countries of the Southern and Eastern Mediterranean as determined by the Bank upon the affirmative vote of not less than two-thirds of the Governors, representing not less than three-fourths of the total voting power of the members.** Accordingly, any reference in this Agreement and its annexes to "Central and Eastern European countries", "countries from Central and Eastern

Europe", "recipient country (or countries)" or "recipient member country (or countries)" shall refer to Mongolia **and each of such countries of the Southern and Eastern Mediterranean** as well."

2. Members of the Bank be asked whether they accept the said amendment by (a) executing and depositing with the Bank an instrument stating that such member has accepted the said amendment in accordance with its law and (b) furnishing evidence, in form and substance satisfactory to the Bank, that the amendment has been accepted and the instrument of acceptance executed and deposited in accordance with the law of that member.

3. The said amendment enter into force seven days after the date on which the Bank has formally confirmed to its members that the requirements for accepting the said amendment, as provided for in Article 56 of the Agreement Establishing the Bank, have been met.

(Adopted 30 September 2011)