

No. 457

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Relations of the Republic of Peru and has the honor to refer the Ministry of Foreign Affairs of the Government of Peru to the Memorandum of Understanding between the Government of the United States of America and the Government of the Republic of Peru concerning the Imposition of Import Restrictions on Archaeological Material from the Prehispanic Cultures and Certain Ethnological Material from the Colonial Period of Peru signed at Washington June 9, 1997 as amended and extended (hereinafter referred to as "the MOU").

The Embassy, on behalf of the Government of the United States of America, proposes that, pursuant to Article IV. A of the MOU, the MOU be extended for an additional five-year period.

The Embassy further proposes that, pursuant to Article IV. B of the MOU, the MOU be amended by replacing Article II with the attached revised Article II.

If the foregoing proposals are acceptable to the Ministry of Foreign Affairs, the Embassy proposes that this note, including the attached revised Article II, and the Ministry's note in reply, shall constitute an agreement to amend and extend the MOU, which shall enter into force on the date of your note in reply and shall be effective on June 9, 2007.

The Embassy of the United States of America avails itself of this opportunity to reiterate to the Ministry of Foreign Relations of the Republic of Peru the assurances of its highest consideration.

Enclosure: As stated.

Embassy of the United States of America,
Lima, May 23, 2007.



United States of America-Republic of Peru Memorandum of Understanding

Extension 2007

Revised Article II

- A. Representatives of the Government of the United States of America and representatives of the Government of Peru will take action to publicize this Memorandum of Understanding and the reasons for it.
- B. The Government of the United States of America will use its best efforts to facilitate the provision to Peru of technical assistance in cultural resource management and security through available programs in the public and private sectors.
- C. Both Governments will use their best efforts to encourage academic institutions, non-governmental institutions, and other organizations to collaborate in the preservation and protection of Peruvian cultural patrimony through the provision of technical assistance, expertise, and resources.
- D. Both Governments will endeavor to facilitate the exchange of information on the effectiveness of the measures agreed to in this Memorandum of Understanding, including with respect to investigations undertaken by their respective law enforcement authorities.
- E. The Government of Peru will consider granting, within current Peruvian law, long-term loans of objects of archaeological and ethnological interest for exhibit or study at museums and academic institutions in the United States, under circumstances in which such exchange does not jeopardize the cultural patrimony of Peru.
- F. The Government of Peru will use its best efforts to carry out the legal reforms it deems necessary to improve further the protection of its archaeological and ethnological cultural patrimony, engaging in these efforts those responsible for investigating, prosecuting, and adjudicating crimes against its heritage.
- G. The Government of Peru will use its best efforts to enforce its law requiring the registration of objects pertaining to its national cultural heritage, including those held in public institutions, religious institutions, and private collections.
- H. The Government of Peru will use its best efforts to devise and maintain a comprehensive record of incidents of looting of archaeological sites as well as ecclesiastical institutions. Such record shall include an indication of the eventual outcome of such cases.
- I. The Government of Peru will continue its impressive efforts in public awareness programs and professional training undertaken through the Directorate for the Defense of the Historic Heritage; and consider including judges, tour guides, and journalists in its target audiences.
- J. The Government of Peru will endeavor to make available case studies of effective efforts to fight looting undertaken at the local level, so that other communities might try similar methods.



TRANSLATION

No. SPC 6-3/225

Lima, May 28, 2007

Embassy of the United States of America
Lima

The Ministry of Foreign Relations, Office of the Undersecretary of Foreign Cultural Policy, presents its compliments to the Embassy of the United States of America and refers to its note No. N-457 of May 23, 2007, on the proposal of the Government of the United States of America to extend, for an additional five-year period, the Memorandum of Understanding between the Government of the United States of America and the Government of the Government of Peru Concerning the Imposition of Import Restrictions on Archaeological Material from the Prehispanic Cultures and Certain Ethnological Material from the Colonial Period of Peru, signed at Washington on June 9, 1997, and extended for an additional five-year period in 2002, which will expire on June 7, 2007.

The Ministry of Foreign Relations, Office of the Undersecretary of Foreign Cultural Policy, with the full consent of the National Institute of Culture (INC) and in reference to U.S. Embassy note No. N-457-2007 and revised Article II of the aforementioned instrument, hereby informs the Embassy that the Government of Peru accepts the proposal to extend said Memorandum of Agreement for an additional five-

year period. The aforementioned note, along with this response, shall constitute an agreement to extend and amend the Memorandum of Agreement, which shall become effective on June 9, 2007.

[Complimentary close]

[Seal]