

No. 076

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of El Salvador and has the honor to refer the Ministry to the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of El Salvador Concerning the Imposition of Import Restrictions on Certain Categories of Archaeological Material from the Pre-Hispanic Cultures of El Salvador (hereinafter referred to as "the MOU") signed and entered into force in the city of Washington, D.C. on the 8th day of March of 1995, and amended and extended in 2000 and 2005 through exchanges of diplomatic notes.

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 period of five years, ending on March 8, 2015, unless both parties shall agree to extend and/or modify it.

The Embassy further proposes that, pursuant to Article IV B of the MOU, the MOU be amended by deleting Article II and replacing it with the revised text of Article II (attached).

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 affirmative note in reply, shall constitute an agreement to amend and extend the MOU, which shall enter into force on the date of the Ministry's note in reply and which shall take effect on March 8, 2010.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of El Salvador, the assurances of its highest and most distinguished consideration.

Attachment: As stated.

Embassy of the United States of America,
San Salvador, February 24, 2010.



ENGLISH

PROPOSED REVISED TEXT OF ARTICLE II OF THE EL SALVADOR – UNITED STATES MOU

[Public Awareness / Outreach]

A. Representatives of the Government of the United States of America and representatives of the Government of the Republic of El Salvador shall regularly publicize this Memorandum of Understanding and the reasons for it through available outlets of communication.

B. Recognizing the need to engage the public in the protection of the national cultural heritage, the Government of the Republic of El Salvador shall continue its efforts to educate the public regarding the importance of understanding and protecting archaeological sites, and to acknowledge citizens that protect and safeguard the cultural heritage, including through digital/online methods.

C. The Government of the Republic of El Salvador shall use its best efforts to place at airports and border crossings informational material such as signs and brochures that explain the laws prohibiting illicit excavation, and the removal and sale of cultural heritage artifacts, whether or not obtained from illicit excavations.

D. Both governments shall endeavor to permit the exchange of Pre-Columbian archaeological material under circumstances in which such exchange does not jeopardize the cultural patrimony of El Salvador, such as through temporary loans for exhibition purposes and study abroad, to benefit the people of both countries, including persons of Salvadoran heritage currently living in the United States of America.

[Collaboration / Interchange]

E. Both countries shall endeavor to encourage academic institutions, non-governmental institutions, and other organizations to cooperate in the interchange of knowledge about the cultural patrimony of El Salvador, as appropriate under existing programs in the public and/or private sectors, including professional and academic exchanges.

F. Recognizing the benefits of intergovernmental collaboration, the Government of the Republic of El Salvador shall continue to endeavor to strengthen cooperation with other nations of Central America in activities that foster the protection of the cultural patrimony of the region; and shall actively seek such cooperation with all countries that engage in significant import trade in materials of Salvadoran origin.

[Protection / Conservation]

G. The Government of the United States of America acknowledges the efforts of the Government of the Republic of El Salvador in the creation of the Secretariat of Culture and encourages its continued dedication of public funds for the purpose of protecting the cultural patrimony of El Salvador.

H. The Governments of the United States of America and the Republic of El Salvador recognize the importance of a national Salvadoran inventory of cultural property; and the Government of the Republic of El Salvador shall use its best efforts to continue the systematic registration of cultural property as required by its law.

[Law Enforcement]

I. The Government of the Republic of El Salvador shall use its best efforts to ensure the enforcement of its laws against illicit export and sale, including online, of archaeological materials; to explore additional means of reporting and recording looting incidents; and to continue the interdiction and prosecution of illicit exports of archaeological materials.



MINISTERIO DE RELACIONES EXTERIORES
REPUBLICA DE EL SALVADOR C. A.

SECRETARY OF STATE

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DGAJ/DNT/CB/Nº _____

The Ministry of Foreign Affairs of the Republic of El Salvador has the honor of acknowledging receipt of the Diplomatic Note Nº 076 dated february 24, 2010, which literally says:

""No. 076

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of El Salvador and has the honor to refer the Ministry to the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of El Salvador Concerning the Imposition of Import Restrictions on Certain Categories of Archaeological Material from the Pre-Hispanic Cultures of El Salvador (hereinafter referred to as "the MOU") signed and entered into force in the city of Washington, D.C. on the 8th day of March of 1995, and amended and extended in 2000 and 2005 through exchanges of diplomatic notes.

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 period of five years, ending on March 8, 2015, unless both parties shall agree to extend and/or modify it.

The Embassy further proposes that, pursuant to Article IV B of the MOU, the MOU be amended by deleting Article II and replacing it with the revised text of Article II (attached).

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 affirmative note in reply, shall constitute an agreement to amend and extend the MOU, which shall enter into force on the date of the Ministry's note in reply and which shall take effect on March 8, 2010.



MINISTERIO DE RELACIONES EXTERIORES
REPUBLICA DE EL SALVADOR C. A.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of El Salvador, the assurances of its highest and most distinguished consideration.

Attachment: As stated.

Embassy of the United States of America,
San Salvador, February 24, 2010.""

The Ministry of Foreign Affairs has the honor to confirm that your note and this in reply, including the annexed Article II, constitute an extension and an amendment to the Memorandum of Understanding, which shall enter into force on the date of the present note, and shall be effective from March 8, 2010.

The Ministry of Foreign Affairs of the Republic of the El Salvador, reiterates to that Honorable Representation the assurance of its highest consideration and respect.

Antiguo Cuscatlán, February 25, 2010

