

CULTURAL PROPERTY

**Agreement Between the
UNITED STATES OF AMERICA
and EL SALVADOR**

Amending and Extending the
Memorandum of Understanding of
March 8, 1995

As Amended and Extended

Effected by Exchange of Notes at
Washington March 6, 2015



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.”

EL SALVADOR

Cultural Property

*Agreement amending and extending the
Memorandum of Understanding of
March 8, 1995.*

As amended and extended.

*Effected by exchange of notes at
Washington March 6, 2015;*

Entered into force March 6, 2015;

With effect from March 8, 2015.

The Department of State refers the Embassy of El Salvador 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 Prehispanic Cultures of the Republic of El Salvador signed at Washington March 8, 1995, as amended and extended (hereinafter referred to as "the MOU").

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

If the foregoing proposals are acceptable to the Embassy, the Department proposes that this note, including the attached revised Article II, and the Embassy's note in reply, shall constitute an agreement to amend and extend the MOU, which shall enter into force on the date of the Embassy's note in reply and shall take effect on March 8, 2015.

Attachment:

As stated.

Department of State,

March 6, 2015

CRB

DIPLOMATIC NOTE

Revised Article II

Public Awareness

- A. Representatives of both governments shall publicize this Memorandum of Understanding (MOU) and its purposes through appropriate means, including to law enforcement and the public.
- B. The Government of the Republic of El Salvador shall continue its efforts to educate the public on the importance of protecting El Salvador's cultural heritage.

Collaboration/Interchange

- C. Both countries shall encourage their respective academic institutions, non-governmental institutions, museums, and other organizations to cooperate in the interchange of knowledge about the cultural heritage of El Salvador to benefit the people of both countries, including persons of Salvadoran heritage currently living in the United States, under existing programs in the public and/or private sectors, including temporary loans for the purpose of exhibition or technical analysis.
- D. 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 to foster the protection of the cultural heritage of the region; and shall actively seek such cooperation with all countries that have a significant import trade in archaeological materials of Salvadoran origin.

Laws and Law Enforcement

- E. The Government of the Republic of El Salvador shall use its best efforts to place informational material such as signs, brochures, and other literature at airports, border crossings, and points of entry in order to explain and promote the laws prohibiting illegal excavation and the removal and sale of cultural heritage obtained illegally and cultural goods obtained by internet auctions.
- F. The Government of the Republic of El Salvador shall continue to use its best efforts to enforce its laws protecting cultural heritage, including laws against the illegal sale in any kind of trade or auctions and export of archaeological material and laws protecting archaeological sites threatened by looting, development and urban expansion; and to prosecute violators.

Protection and Conservation

- G. The Government of the Republic of El Salvador shall continue to encourage collaboration among federal government agencies and municipal governments within El Salvador in the protection of cultural heritage.
- H. Both governments recognize the importance of a national Salvadoran inventory of archaeological objects and sites. The Government of the Republic of El Salvador shall use its best efforts to continue the systematic and digital registration of archaeological objects and sites in public and private ownership.
- I. Both governments shall endeavor to collaborate to support the development of cultural resources management policy and expertise in El Salvador to protect cultural heritage.



EMBAJADA DE EL SALVADOR
1400 16TH ST. N.W., SUITE 100
WASHINGTON, DC 20036

La Embajada de la República de El Salvador saluda muy atentamente al Departamento de Estado y desea referirse a la nota del Departamento fechada 6 de marzo de 2015 relativa al Memorandum de Entendimiento entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de El Salvador concerniente a la Imposición de Restricciones de Importación sobre Ciertas Categorías de Material Arqueológico Procedente de Culturas Prehispánicas de la República de El Salvador, hecho en Washington el 8 de marzo de 1995 (en adelante el MOU).

La Embajada de la República de El Salvador, en nombre del Gobierno de la República de El Salvador, por el presente declara su aceptación de la prórroga del MOU por un período adicional de cinco años, así como la sustitución del Artículo II del MOU por el Artículo II adjunto a la nota mencionada anteriormente (que también se adjunta a la presente). Por lo tanto, esta nota y la nota del Departamento de Estado de 6 de marzo de 2015 constituyen un acuerdo para prorrogar y enmendar el MOU, que entrará en vigor en la fecha de la presente nota y será efectivo a partir del 8 de marzo de 2015.

La Embajada de la República de El Salvador aprovecha la oportunidad para renovar al Departamento de Estado las seguridades de su más alta consideración.

Anexo: Como se indica

Embajada de la República de El Salvador,
Washington, 6 de marzo de 2015



ANEXO

ARTÍCULO II MODIFICADO

Información al público

- A. Los representantes de los dos países divulgarán el presente Memorando de Entendimiento y sus fines a través de medios adecuados, incluso a las autoridades del orden y al público.
- B. El Gobierno de la República de El Salvador seguirá la labor de educar al público sobre la importancia de proteger el patrimonio cultural de El Salvador.

Colaboración / intercambio

- C. Los dos países alentarán a sus respectivas instituciones académicas y no gubernamentales, así como a museos y otras entidades, a cooperar en materia de intercambio de conocimientos sobre el patrimonio cultural de El Salvador, con vistas a beneficiar a los habitantes de los dos países, incluidas las personas de procedencia salvadoreña que residen actualmente en los Estados Unidos, conforme a los programas vigentes en los sectores público y privado, entre los cuales se encuentran los préstamos para exposiciones o para análisis técnicos.
- D. Al reconocer los beneficios de la colaboración entre los gobiernos, el Gobierno de la República de El Salvador seguirá procurando fortalecer la colaboración con las otras naciones de Centroamérica en materia de protección del patrimonio cultural de la región, y buscará activamente la cooperación de los países que tengan un importante comercio de importación de materiales arqueológicos de origen salvadoreño.

Leyes y aplicación de la ley

- E. El Gobierno de la República de El Salvador hará lo posible por colocar material informativo, como por ejemplo señales, folletos y otros, en aeropuertos, cruces fronterizos y puntos de entrada para explicar y promocionar las leyes que prohíben las excavaciones ilícitas, así como la sustracción y venta de objetos del patrimonio cultural obtenidos de manera ilícita y los bienes culturales obtenidos en subastas por internet.
- F. El Gobierno de la República de El Salvador seguirá haciendo lo posible por asegurar que se cumplan las leyes que protegen el patrimonio cultural, entre ellas las leyes contra la venta ilegal o cualquier tipo de comercio o subasta y exportación de materiales del patrimonio arqueológico, y las leyes que protegen los sitios amenazados por el saqueo, el desarrollo y la expansión urbana, así como por enjuiciar a los infractores.

Protección y conservación

- G. El Gobierno de la República de El Salvador seguirá promoviendo la colaboración entre organismos del gobierno nacional y gobiernos municipales de El Salvador en materia de protección del patrimonio cultural.
- H. Los dos gobiernos reconocen la importancia de un inventario nacional salvadoreño de objetos y sitios arqueológicos. El Gobierno de la República de El Salvador hará lo posible por continuar el registro sistemático y digital de objetos y sitios arqueológicos de propiedad pública o privada.
- I. Los dos gobiernos procurarán colaborar para apoyar la elaboración de una política y la adquisición de conocimientos especializados en materia de gestión de recursos culturales en El Salvador con el fin de proteger el patrimonio cultural.



TRANSLATION

Republic of El Salvador

Embassy of El Salvador

The Embassy of El Salvador presents its compliments to the Department of State and has the honor to refer to the Department's note of March 6, 2015, regarding 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 Prehispanic Cultures of the Republic of El Salvador, done at Washington, on March 8, 1995 (hereinafter the MOU).

The Embassy of the Republic of El Salvador, on behalf of the Republic of El Salvador, hereby states its acceptance of the extension of the MOU for an additional period of five years and of the replacement of Article II of the MOU with the Article II attached to the note in question (and also attached hereto.) [Translator's Note: Language Services did not receive a copy of this document.] Accordingly, this note and the Department of State's note of March 6, 2015 shall constitute an agreement to extend and amend the MOU, which shall enter into force on the date of this note and shall be effective as of March 8, 2015.

[Complimentary close]

Attachment: As indicated

[Seal of the Embassy of El Salvador in
Washington, DC]

Embassy of the Republic of El Salvador
Washington, March 6, 2015

ANNEX

REVISED ARTICLE II

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