

## **CULTURAL EXCHANGES, PROPERTY, AND COOPERATION**

### **Import Restrictions**

**Agreement Between the  
UNITED STATES OF AMERICA  
and INDIA**

Signed at New Delhi July 26, 2024

Entered into force July 26, 2024



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.”

**AGREEMENT**  
**BETWEEN**  
**THE GOVERNMENT OF THE UNITED STATES OF AMERICA**  
**AND**  
**THE GOVERNMENT OF THE REPUBLIC OF INDIA**  
**CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS**  
**ON CATEGORIES OF ARCHAEOLOGICAL AND ETHNOLOGICAL MATERIAL OF**  
**INDIA**

The Government of the United States of America and the Government of the Republic of India,

ACKNOWLEDGING the need to protect and preserve archaeological and ethnological material that reflects the identity, creativity, and collective memory of their peoples;

EMPHASIZING the importance of preventing the illicit trafficking of such material, which contributes to the loss of irreplaceable artifacts;

DESIRING to foster cooperation and mutual understanding in matters related to cultural heritage;

ACTING pursuant to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, to which both countries are States party;

CONSIDERING the respect the Government of the United States has for India's cultural heritage, including materials from the Paleolithic, Mesolithic, Neolithic, Chalcolithic, Historic, Medieval Period and Colonial Rule (including, but not limited to, the Indus Valley Civilization, Mauryan Empire, Shunga-Kushan, Gandhara, Gupta Period, Gurjara-Pratihara, Rastrakuta, Pala, Chola Dynasty, Sultanate period, Mughal Empire, and the Colonial Period) up to one hundred years old, and seventy-five years old in case of archival material; and

DESIRING to reduce the incentive for pillage of irreplaceable archaeological and ethnological material representing India's cultural heritage,

Have agreed as follows:

## **ARTICLE I**

1. The Government of the United States of America shall, in accordance with its legislation, including the Convention on Cultural Property Implementation Act, restrict the importation into the United States of certain archaeological material ranging in date from 1.7 million years ago through 1770 CE and certain ethnological material, which may include categories of civic, religious, and royal architectural material, religious material and ceremonial items, and manuscripts ranging in date from 2nd century BCE to 1947 CE identified in the list to be promulgated by the Government of the United States of America (hereinafter referred to as the Designated List), unless the Government of the Republic of India issues a license which certifies that such exportation was not in violation of its laws.
2. The Government of the United States of America shall offer for return to the Government of the Republic of India any object or material on the Designated List forfeited to the Government of the United States of America.
3. Such import restrictions shall become effective on the date the Designated List is published in the U.S. Federal Register, the official United States Government publication providing fair public notice.

## **ARTICLE II**

1. Both Governments shall publicize this Agreement and the reasons for it.
2. The Government of the Republic of India shall continue to use its best efforts to maintain and share with the Government of the United States of America information about unauthorized excavations, thefts of cultural property, trafficking of cultural property, and other threats that jeopardize its cultural patrimony.
3. The Government of the Republic of India shall continue to use its best efforts to take steps consistent with the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property to protect its cultural patrimony. To assist in these efforts, the Government of the United States of America shall use its best efforts to facilitate technical assistance to Government of the Republic of India as appropriate under available programs in the public and/or private sectors.
4. The Government of the Republic of India shall continue to use its best efforts to engage other countries having a significant import trade in archaeological and/or ethnological materials from India to deter a serious situation of pillage of its cultural property.
5. Each Government shall use best efforts to encourage further interchange of archaeological and/or ethnological materials for cultural, educational, and scientific purposes, including

long-term loans of such materials to promote widespread public appreciation of and access to India's rich cultural heritage.

6. Each Government shall continue to endeavor to keep the other informed of the measures taken to implement this Agreement.

### **ARTICLE III**

The obligations of both Governments and the activities carried out under this Agreement shall be subject to their respective laws and regulations, including with respect to the availability of appropriated funds.

### **ARTICLE IV**

In case of dispute or difference in interpretation or implementation of this Agreement, both Governments shall mutually discuss such dispute or difference with a view to resolving such dispute or difference.

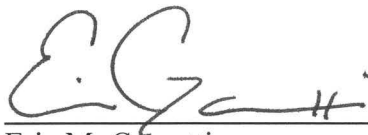
### **ARTICLE V**

1. This Agreement shall enter into force upon signature; it shall remain in force for a period of five (5) years, unless extended.
2. This Agreement may be extended and amended only by mutual written consent of the Governments.
3. The Government of the United States of America and the Government of the Republic of India shall review the effectiveness of this Agreement before the expiration of the five (5)-year period in order to determine whether the Agreement should be extended.
4. Either Government may notify the other, in writing through diplomatic channels, of its intention to terminate this Agreement prior to its date of expiry. In such a case the termination shall come into effect six (6) months after the date of notification.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed the present Agreement.

DONE at New Delhi, in duplicate, this 26<sup>th</sup> day of July 2024, in the English language.

**FOR THE GOVERNMENT OF  
THE UNITED STATES OF AMERICA:**



Eric M. Garcetti  
Ambassador of the United States of  
America to the Republic of India

**FOR THE GOVERNMENT OF  
THE REPUBLIC OF INDIA:**



Govind Mohan  
Secretary, Ministry of Culture