

**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**

The Government of the United States of America and the Government of the Republic of El Salvador;

Acting pursuant to the 1970 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; and

Desiring to reduce the incentive for pillage of certain categories of irreplaceable archaeological material representing the prehispanic cultures of El Salvador;

Have reached the following understanding:

ARTICLE I

- A. The Government of the United States of America, in accordance with its legislation entitled the Convention on Cultural Property Implementation Act, will restrict the importation into the United States of the archaeological material listed in the Appendix to this Memorandum of Understanding (hereafter "Designated List") unless the Government of the Republic of El Salvador issues a certification or other documentation which certifies that such exportation was not in violation of its laws.
- B. The Government of the United States of America shall offer for return to the Government of the Republic of El Salvador any material on the Designated List forfeited to the Government of the United States of America.
- C. Such import restrictions will 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

- A. The Government of the Republic of El Salvador will use its best efforts to permit the exchange of its archaeological materials under circumstances in which such exchange does not jeopardize its cultural patrimony.
- B. The representatives of the Government of the United States of America will participate in joint efforts with representatives of the Government of the Republic of El Salvador to publicize this Memorandum of Understanding.
- C. The Government of the United States of America will use its best efforts to facilitate technical assistance in cultural resource management and security to El Salvador, as appropriate under existing programs in the public and/or private sectors.
- D. Both countries will seek to encourage academic institutions, non-governmental institutions and other private organizations to cooperate in the interchange of knowledge and information about the cultural patrimony of El Salvador, and to collaborate in the

preservation and protection of such cultural patrimony through appropriate technical assistance, training, and resources.

- E. The Government of the Republic of El Salvador will use its best efforts to effect, as soon as possible, final approval and promulgation of its regulations to implement its 1993 Special Law for the Protection of the Cultural Heritage, especially those related to the registration and export of cultural property, and the granting of excavation permits; and will use its best efforts to proceed expeditiously with the registration of cultural property as required by its law.
- F. The Government of the Republic of El Salvador will continue, and strengthen where possible, its efforts to educate the public regarding its 1993 Special Law and the importance of protecting archaeological sites.
- G. In order to reestablish public and scholarly access to the collections in the "David J. Guzman" National Museum which suffered structural damage during an earthquake, the Government of the Republic of El Salvador will use its best efforts to reopen the Museum at the earliest practicable time.
- H. The Government of the Republic of El Salvador will endeavor to strengthen cooperation within Central America, and especially with immediately neighboring states, for the protection of the cultural patrimony of the region.

ARTICLE III

The obligations of both countries and the activities carried out under this Memorandum of Understanding shall be subject to the applicable laws and regulations of each country, including the availability of funds.

ARTICLE IV

- A. This Memorandum of Understanding shall enter into force upon signature. It shall remain in force for a period not to exceed five years, unless extended.
- B. This Memorandum of Understanding may be amended through an exchange of diplomatic notes.
- C. The effectiveness of this Memorandum of Understanding will be subject to continuing review.

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

DONE at Washington, this eighth day of March, 1995, in the English and Spanish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:

Alexander Watson
U.S. Department of State
R. Penn Kemble
United States Information Agency

FOR THE GOVERNMENT OF
THE REPUBLIC OF EL SALVADOR:

Ana Christina Sol
The Ambassador of The Republic
of El Salvador to the United States