The Department of State refers the Embassy of Honduras to the *Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures of Honduras* signed at Tegucigalpa, March 12, 2004, as amended and extended via exchange of diplomatic notes in 2009 (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 as follows:

1) The title be deleted and replaced with the following: "Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures and Ecclesiastical Ethnological Material from the Colonial Period of Honduras" to reflect the inclusion of certain ethnological material to be protected under the MOU.

2) Preamble, paragraph 3 be deleted and replaced with the following: "Desiring to reduce the incentive for pillage of irreplaceable archaeological material representing the pre-Colombian cultures and ecclesiastical ethnological material representing the Colonial period of Honduras."

3) Article I.A be deleted and replaced with the following: "The Government of the United States of America, in accordance with its legislation entitled the Convention on Cultural Property Implementation Act, shall restrict the importation into the United States of the archaeological and ethnological material identified on a list to be promulgated by the United States Government (hereafter

"Designated List") unless the Government of the Republic of Honduras issues a certification or other documentation which certifies that such exportation was not in violation of its laws."

4) Article II would be replaced with the enclosed revised Article II.

If the foregoing proposal is acceptable to the Ministry, the Department proposes that this note, including the enclosed 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 the Ministry's note in reply and shall take effect on March 12, 2014.

Enclosure:

As stated.

Department of State,

Washington, March 7, 2014

Revised Article II

A. The Government of the United States of America and the Government of the Republic of Honduras shall undertake efforts to publicize this Memorandum of Understanding and the reasons for it, including on the internet and in other media.

B. The Government of the Republic of Honduras shall work to register its cultural patrimony by:

1. Continuing its progress on the registration of all known archaeological and ethnological material throughout the country;
2. Using its best efforts to register all known archaeological sites in the country; and
3. Using its best efforts to digitize the results of the registration program, including photo documentation of ecclesiastical material.

C. The Government of the United States of America shall use its best efforts to facilitate technical assistance in cultural resource management and security to Honduras, as requested, and as appropriate under existing programs in the public and/or private sectors, particularly recognizing the increasing destabilizing influence of drug traffickers in the Central American region and the potential for the destruction of cultural property by development.

D. Both Governments shall use their best efforts to facilitate the exchange of their cultural property, under circumstances that do not jeopardize their cultural patrimony, such as temporary and long-term loans to museums and educational institutions for exhibition purposes and scientific examination, including through considering streamlining the approval process for such loans and standardizing the fees for such loans.

E. The Government of the Republic of Honduras shall use its best efforts to coordinate intra-governmental efforts in protecting its cultural property, including by continuing to endorse and support the Inter-Institutional Commission [for the protection of cultural patrimony]; and shall engage agencies and institutions with responsibilities that might affect the cultural patrimony, such as the departments of public works, transportation, and housing; and by cooperating with agencies that monitor drug trafficking.

F. The Government of the Republic of Honduras shall continue its enforcement of existing laws protecting cultural property, with an emphasis on prosecution of crimes against cultural patrimony, in order to reduce the incentive for looting of archaeological sites and ethnological material and shall use its best efforts to monitor the damage to historical and archaeological sites due to development and overuse.

G. In order to assist in the recovery of pillaged cultural property, the Government of the Republic of Honduras shall use its best efforts to report thefts of archaeological and ethnological cultural property to proper national and international authorities as soon as feasible.

H. Both Governments agree that, in order for United States import restrictions to be fully successful in thwarting pillage, the Government of the Republic of Honduras shall continue to strengthen cooperation within Central America for the protection of the cultural property of the region; and shall continue to seek the cooperation of countries with significant import trade in Honduran archaeological and ethnological objects to protect its cultural property.

I. Both Governments shall continue to encourage academic institutions, non-governmental institutions, citizen's groups, and other organizations to cooperate in the research and interchange of knowledge about the full range of the cultural patrimony of Honduras.

J. The Government of the Republic of Honduras shall continue: to develop and implement professional training programs for archaeologists, museum personnel, and public

institution administrators responsible for cultural patrimony; to promote the viability of local museums; and to educate and inform the public about the importance of the country's cultural heritage and its role in its protection, particularly in light of new laws that directly or indirectly affect cultural patrimony.

K. In advance of the expiration of the five-year period of this Memorandum of Understanding, the Government of the Republic of Honduras shall inform the United States of the steps it has taken towards meeting the terms of this Memorandum of Understanding.

EMBAJADA DE HONDURAS
EN ESTADOS UNIDOS DE AMÉRICA

DS/032/EHW/2014 Washington, D.C. March 7, 2014

The Embassy of Honduras received the diplomatic note dated March 7, 2014 which states:

"The Department of State refers the Embassy of Honduras to the *Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures of Honduras* signed at Tegucigalpa, March 12, 2004, as amended and extended via exchange of diplomatic notes in 2009 (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 as follows:

1) The title be deleted and replaced with the following: "Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures and Ecclesiastical Ethnological Material from the Colonial Period of Honduras" to reflect the inclusion of certain ethnological material to be protected under the MOU.

2) Preamble, paragraph 3 be deleted and replaced with the following: "Desiring to reduce the incentive for pillage of irreplaceable

archaeological material representing the pre-Colombian cultures and ecclesiastical ethnological material representing the Colonial period of Honduras."

3) Article I.A be deleted and replaced with the following: "The Government of the United States of America, in accordance with its legislation entitled the Convention on Cultural Property Implementation Act, shall restrict the importation into the United States of the archaeological and ethnological material identified on a list to be promulgated by the United States Government (hereafter "Designated List") unless the Government of the Republic of Honduras issues a certification or other documentation which certifies that such exportation was not in violation of its laws."

4) Article II would be replaced with the enclosed revised Article II.

If the foregoing proposal is acceptable to the Ministry, the Department proposes that this note, including the enclosed 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 the Ministry's note in reply and shall take effect on March 12, 2014.

Enclosure:

As stated."

The Embassy of Honduras, with due authorization from the Secretary of Foreign Relations and External Cooperation of the Republic of Honduras, accepts the proposal made by the United States of America and accepts that these notes, including the attached revised Article II, constitute an agreement to amend and extend the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures of Honduras signed at Tegucigalpa, and shall take effect on March 12, 2014.

The Embassy of Honduras avails itself of the opportunity to reiterate the assurances of its distinguished consideration.

Revised Article II

A. The Government of the United States of America and the Government of the Republic of Honduras shall undertake efforts to publicize this Memorandum of Understanding and the reasons for it, including on the internet and in other media.

B. The Government of the Republic of Honduras shall work to register its cultural patrimony by:

1. Continuing its progress on the registration of all known archaeological and ethnological material throughout the country;
2. Using its best efforts to register all known archaeological sites in the country; and
3. Using its best efforts to digitize the results of the registration program, including photo documentation of ecclesiastical material.

C. The Government of the United States of America shall use its best efforts to facilitate technical assistance in cultural resource management and security to Honduras, as requested, and as appropriate under existing programs in the public and/or private sectors, particularly recognizing the increasing destabilizing influence of drug traffickers in the Central American region and the potential for the destruction of cultural property by development.

D. Both Governments shall use their best efforts to facilitate the exchange of their cultural property, under circumstances that do not jeopardize their cultural patrimony, such as temporary and long-term loans to museums and educational institutions for exhibition purposes and scientific examination, including through considering streamlining the approval process for such loans and standardizing the fees for such loans.

E. The Government of the Republic of Honduras shall use its best efforts to coordinate intra-governmental efforts in protecting its cultural property, including by continuing to endorse and support the Inter-Institutional Commission [for the protection of cultural patrimony]; and shall engage agencies and institutions with responsibilities that might affect the cultural patrimony, such as the departments of public works, transportation, and housing; and by cooperating with agencies that monitor drug trafficking.

F. The Government of the Republic of Honduras shall continue its enforcement of existing laws protecting cultural property, with an emphasis on prosecution of crimes against cultural patrimony, in order to reduce the incentive for looting of archaeological sites and ethnological material and shall use its best efforts to monitor the damage to historical and archaeological sites due to development and overuse.

G. In order to assist in the recovery of pillaged cultural property, the Government of the Republic of Honduras shall use its best efforts to report thefts of archaeological and ethnological cultural property to proper national and international authorities as soon as feasible.

H. Both Governments agree that, in order for United States import restrictions to be fully successful in thwarting pillage, the Government of the Republic of Honduras shall continue to strengthen cooperation within Central America for the protection of the cultural property of the region; and shall continue to seek the cooperation of countries with significant import trade in Honduran archaeological and ethnological objects to protect its cultural property.

I. Both Governments shall continue to encourage academic institutions, non-governmental institutions, citizen's groups, and other organizations to cooperate

in the research and interchange of knowledge about the full range of the cultural patrimony of Honduras.

J. The Government of the Republic of Honduras shall continue: to develop and implement professional training programs for archaeologists, museum personnel, and public institution administrators responsible for cultural patrimony; to promote the viability of local museums; and to educate and inform the public about the importance of the country's cultural heritage and its role in its protection, particularly in light of new laws that directly or indirectly affect cultural patrimony.

K. In advance of the expiration of the five-year period of this Memorandum of Understanding, the Government of the Republic of Honduras shall inform the United States of the steps it has taken towards meeting the terms of this Memorandum of Understanding.