

No. 50936

**United States of America
and
Mali**

Agreement between the Government of the United States of America and the Government of the Republic of Mali concerning the imposition of import restrictions on archaeological material from the region of the Niger River valley and the Bandiagara escarpment (cliff) (with appendix). Washington, 19 September 1997

Entry into force: *19 September 1997 by signature, in accordance with article IV*

Authentic texts: *English and French*

Registration with the Secretariat of the United Nations: *United States of America, 18 June 2013*

**États-Unis d'Amérique
et
Mali**

Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République du Mali portant sur les restrictions à l'importation de matériel archéologique de la vallée du Niger et des falaises de Bandiagara (avec appendice). Washington, 19 septembre 1997

Entrée en vigueur : *19 septembre 1997 par signature, conformément à l'article IV*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *États-Unis d'Amérique, 18 juin 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE REPUBLIC OF MALI
CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS
ON ARCHAEOLOGICAL MATERIAL FROM THE
REGION OF THE NIGER RIVER VALLEY
AND THE BANDIAGARA ESCARPMENT (CLIFF)**

The Government of the United States of America and the Government of the Republic of Mali;

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; and

Desiring to reduce the incentive for pillage of certain categories of irreplaceable archaeological material representing a continuum of civilizations from the Neolithic period to the colonial occupation;

Have agreed as follows:

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 continue to restrict the importation into the United States of the archaeological material listed in the Appendix to this Agreement (hereafter "Designated List"), first promulgated by regulation on September 23, 1993 as an emergency measure. The restriction will continue to apply unless the Government of the Republic of Mali issues a certification or other documentation which certifies that such exportation was not in violation of its laws.

B. The continuation of 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.

C. The Government of the United States of America shall offer for return to the Government of the Republic of Mali any material on the Designated List forfeited to the Government of the United States of America.

ARTICLE II

A. The Government of the Republic of Mali will use its best efforts to permit the exchange of its archaeological material under circumstances in which such exchange does not jeopardize its cultural patrimony but allows public access for educational, cultural and scientific purposes.

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 Mali to publicize this Agreement.

C. The Government of the United States of America will use its best efforts to facilitate technical assistance to the Republic of Mali in cultural resource management and security, as appropriate under existing programs in the public and/or private sectors.

D. Both Governments 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 the Republic of Mali, 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 Mali will seek to develop and promote professional training programs for archaeologists and museum staff and public institution administrators responsible for cultural patrimony, and to enhance the capabilities of the National Museum of Mali to care for and exhibit aspects of its rich cultural heritage.

F. The Government of the United States of America, recognizing the successful public education initiatives of the Republic of Mali through the establishment of Cultural Missions that carry out research, site management, and educational programs among local populations at major archaeological sites, encourages the continuation of such measures as part of an overall effort toward sustainable strategies for protecting cultural resources.

G. The Government of the Republic of Mali will use its best efforts in restricting the activities of antiquarians within its borders, in making export controls more effective, and in seeking the cooperation of other importing countries in curbing illicit trade in Malian cultural artifacts.

H. In order for United States import restrictions to be maximally successful in thwarting pillage, the Government of the Republic of Mali will endeavor to strengthen regional cooperation, especially with immediately neighboring states, for the protection of the cultural patrimony of the region, recognizing that political boundaries and cultural boundaries do not coincide.

ARTICLE III

The obligations of both Governments and the activities carried out under this Agreement shall be subject to the laws and regulations of each Government, as applicable, including the availability of funds.

ARTICLE IV

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

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