

**No. 51018. United States of America and Italy**

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF ITALY CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS ON CATEGORIES OF ARCHAEOLOGICAL MATERIAL REPRESENTING THE PRE-CLASSICAL, CLASSICAL AND IMPERIAL ROMAN PERIODS OF ITALY. WASHINGTON, 19 JANUARY 2001 [*United Nations, Treaty Series, vol. 2933, I-51018.*]

EXCHANGE OF NOTES EXTENDING AND AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF ITALY CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS ON CATEGORIES OF ARCHAEOLOGICAL MATERIAL REPRESENTING THE PRE-CLASSICAL, CLASSICAL AND IMPERIAL ROMAN PERIODS OF ITALY (WITH ATTACHMENT). WASHINGTON, 13 JANUARY 2006

**Entry into force:** 19 January 2006, in accordance with the provisions of the said notes

**Authentic text:** English

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**N° 51018. États-Unis d'Amérique et Italie**

MÉMORANDUM D'ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE ITALIENNE RELATIF À L'IMPOSITION DE RESTRICTIONS À L'IMPORTATION SUR CERTAINES CATÉGORIES D'OBJETS ARCHÉOLOGIQUES DES PÉRIODES PRÉCLASSIQUE, CLASSIQUE ET DE L'EMPIRE ROMAIN DE L'ITALIE. WASHINGTON, 19 JANVIER 2001 [*Nations Unies, Recueil des Traités, vol. 2933, I-51018.*]

ÉCHANGE DE NOTES PROROGÉANT ET MODIFIANT LE MÉMORANDUM D'ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE ITALIENNE RELATIF À L'IMPOSITION DE RESTRICTIONS À L'IMPORTATION SUR CERTAINES CATÉGORIES D'OBJETS ARCHÉOLOGIQUES DES PÉRIODES PRÉCLASSIQUE, CLASSIQUE ET DE L'EMPIRE ROMAIN DE L'ITALIE (AVEC PIÈCE JOINTE). WASHINGTON, 13 JANVIER 2006

**Entrée en vigueur :** 19 janvier 2006, conformément aux dispositions desdites notes

**Texte authentique :** anglais

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

I

The Department of State refers the Embassy of the Republic of Italy to the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Italy Concerning the Imposition of Import Restrictions on Categories of Archaeological Material Representing the Pre-Classical, Classical and Imperial Roman Periods of Italy done at Washington January 19, 2001 (hereinafter referred to as “the MOU”).

The Department of State proposes that, pursuant to Article IV. A of the MOU, the MOU be extended for an additional five-year period.

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

If the foregoing proposals are acceptable to the Embassy of the Republic of Italy, the Department of State proposes that this note, including the enclosed revised Article II, and the Government of the Republic of Italy’s note in reply, shall constitute an agreement to extend and amend the MOU which shall enter into force on January 19, 2006.

Enclosure: As stated.

Department of State,

Washington, January 13, 2006.

Article II

A. Representatives of the Government of the United States of America and representatives of the Government of the Republic of Italy shall take appropriate steps to publicize this Memorandum of Understanding.

B. Both Governments agree that in order for United States import restrictions to be fully successful in deterring pillage, the Government of the Republic of Italy shall use its best efforts to increase scientific research and protection of archaeological patrimony and protective measures for archaeological excavations at known sites, particularly in areas at greatest risk from looters. The Government of the United States of America acknowledges the efforts of the Government of the Republic of Italy in recent years to devote more public funds to guard archaeological sites and museums and to develop Italian tax incentives for private support of legitimate excavation. The Government of the Republic of Italy agrees to continue to pursue these efforts.

C. The Government of the Republic of Italy shall reinforce, with respect to the 1970 UNESCO Convention, the protection of its cultural patrimony. In particular, the Government of the Republic of Italy shall continue its efforts to:

1. ensure the prompt prosecution of looters,
2. stop the illicit use of metal detectors in archaeological areas
3. enhance training for the Carabinieri Special Unit for the Protection of Artistic Patrimony, and
4. create and pursue innovative and effective ways to detect and stop the looting of archaeological sites.

D. Both Governments agree that, in order for United States import restrictions to be most successful in thwarting pillage, the Government of the Republic of Italy shall endeavor to strengthen cooperation among nations within the Mediterranean Region for the protection of the cultural patrimony of the region, recognizing that political boundaries and cultural boundaries do not coincide; and shall seek increased cooperation from other art-importing nations to restrict illicit imports, in the effort to deter further pillage.

E. The Government of the United States of America recognizes that the Government of the Republic of Italy permits the interchange of archaeological materials for cultural, exhibition, educational and scientific purposes to enable widespread public appreciation of and legal access to Italy's rich cultural heritage. The Government of the Republic of Italy agrees to use its best efforts to encourage further interchange through:

1. promoting agreements for long-term loans of objects of archaeological or artistic interest, for as long as necessary, for research and education, agreed upon, on a case by case basis, by American and Italian museums or similar institutions, to include: scientific and technological analysis of materials and their conservation; comparison

for study purposes in the field of art history and other humanistic and academic disciplines with material already held in American museums or institutions; or educational presentations of special themes between various museums or academic institutions;

2. encouraging American museums and universities jointly to propose and participate in excavation projects authorized by the Ministry of Culture, with the understanding that certain of the scientifically excavated objects from such projects could be given as a loan to the American participants through specific agreements with the Ministry of Culture; and

3. promoting agreements for academic exchanges and specific study programs agreed upon by Italian and American institutions.

F. The Government of the United States of America acknowledges the efforts by the Government of the Republic of Italy in recent years to revise and strengthen the laws concerning the export of archaeological artifacts, and to improve the efficiency of the system to release certificates of exportation. The Government of the Republic of Italy shall continue to examine new ways to facilitate the export of archaeological items legitimately sold within Italy.

G. The Government of the United States of America and the Government of the Republic of Italy shall use their best efforts to facilitate appropriate contacts among U.S. and Italian museums and institutions for the development of increased and extended loans of Italy's archaeological cultural patrimony to U.S. museums.

II

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NOTE VERBALE

The Embassy of Italy presents its compliments to the U.S. Department of State and wishes to refer to the Department of State's note dated January 13, 2006, regarding the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Italy Concerning the Imposition of Import Restrictions on Categories of Archaeological Material Representing the Pre-Classical, Classical and Imperial Roman Periods of Italy, done at Washington January 19, 2001 (hereinafter referred to as "the MOU").

On behalf of the Government of the Republic of Italy, the Embassy of Italy hereby states its acceptance of the extension of the MOU for an additional five-year period, as well as the replacement of Article II of the MOU with a new Article II as attached hereto.

Therefore, this Note and the Department of State's note of January 13, 2006, extend and amend the MOU, which shall enter into force on January 19, 2006.

On behalf of the Government of the Republic of Italy, the Embassy of Italy avails itself of this opportunity to renew to the US Department of State, the assurances of its highest consideration.

Embassy of Italy,  
Washington, January 13, 2006

