

No. 51175. United States of America and Honduras

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. TEGUCIGALPA, 12 MARCH 2004

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT AMENDING AND EXTENDING 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. TEGUCIGALPA, 2 FEBRUARY 2009 AND 17 FEBRUARY 2009*

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N° 51175. États-Unis d'Amérique et Honduras

MÉMORANDUM D'ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU HONDURAS CONCERNANT L'IMPOSITION DE RESTRICTIONS À L'IMPORTATION D'OBJETS ARCHÉOLOGIQUES PROVENANT DES CULTURES PRÉ-COLOMBIENNES DU HONDURAS. TEGUCIGALPA, 12 MARS 2004

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD MODIFIANT ET PROROGÉANT LE MÉMORANDUM D'ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU HONDURAS CONCERNANT L'IMPOSITION DE RESTRICTIONS À L'IMPORTATION D'OBJETS ARCHÉOLOGIQUES PROVENANT DES CULTURES PRÉ-COLOMBIENNES DU HONDURAS. TEGUCIGALPA, 2 FÉVRIER 2009 ET 17 FÉVRIER 2009*

Entrée en vigueur : 17 février 2009 par l'échange desdites notes, conformément à leurs dispositions

Textes authentiques : anglais et espagnol

Enregistrement auprès du Secrétariat des Nations Unies : États-Unis d'Amérique, 20 août 2013

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[ENGLISH TEXT – TEXTE ANGLAIS]

I

No. 54

The Embassy of the United States of America cordially salutes the Ministry of Foreign Affairs of the Government of the Republic of Honduras, and is pleased to refer to the proposal to extend the Memorandum of Understanding signed between the Government of the United States of America and the Government of the Republic of Honduras in the city of Tegucigalpa, Honduras, on the 12th day of March of 2004, concerning the Imposition of Import Restrictions on Archaeological Materials from the Pre-Columbian Cultures of Honduras.

The Embassy, on behalf of the Government of the United States of America, proposes that, pursuant to Article IV.A of the Memorandum of Understanding, the Memorandum of Understanding be extended for an additional period of five years.

The Embassy further proposes that, pursuant to Article IV.B of the Memorandum of Understanding, the Memorandum of Understanding be amended by deleting Article H and replacing it with the attached revised Article H.

If the foregoing proposals are acceptable to the Ministry of Foreign Affairs of the Republic of Honduras, the Embassy proposes that this Note, including the attached revised Article II, and the Ministry's affirmative Note in reply, shall constitute an

agreement to amend and extend the Memorandum of Understanding, which shall enter into force on the date of the Ministry's Note in reply and shall take effect on the 12th day of March of 2009.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Affairs of the Government of the Republic of Honduras the assurances of its highest and most distinguished consideration.

Enclosures:

As stated.

Embassy of the United States of Ame

Tegucigalpa, February 2, 2009

Her Excellency

Licenciada Patricia Rodas,

Minister of Foreign Affairs of the Republic of Honduras,

Tegucigalpa

ENGLISH

[Textual changes or inclusions differing from 2004 MOU are underlined]

FINAL PROPOSED REVISIONS FOR ARTICLE II OF THE HONDURAS – UNITED STATES MOU

A. The representatives of the Government of the United States of America shall participate in joint efforts with representatives of the Government of the Republic of Honduras to publicize this Memorandum of Understanding and the reasons for it.

B. The Government of the United States of America shall continue to use its best efforts to facilitate technical assistance to Honduras in cultural resource management and security, as requested, and as appropriate under existing programs in the public and/or private sectors.

C. Both Governments shall continue to encourage academic institutions, non-governmental institutions, and other organizations to cooperate in the interchange of knowledge about the cultural patrimony of Honduras.

D. 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 their role in its protection.

E. 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 patrimony of the region; and shall continue to seek the cooperation of countries with significant import trade in Honduran archaeological artifacts to protect its cultural property.

F. The Government of the Republic of Honduras shall continue its efforts to strengthen the national registry of archaeological sites, and an inventory of artifacts held in museums and private collections.

G. The Government of the Republic of Honduras shall continue to apply its best efforts to implement and enforce its Law for the Protection of the Cultural Patrimony (Decree 220-97), and other decrees and legislative measures designed to protect its archaeological heritage.

H. The Government of the Republic of Honduras, in advance of the expiration of the five-year period of this Memorandum of Understanding, shall assess its progress in broad areas noted in this Memorandum of Understanding, such as law enforcement, cultural

resource management, education, conservation, research, and the national museum system; and shall provide a report of this assessment to the United States.

I. Both Governments shall continue to encourage Honduran and U.S. museums and academic institutions to collaborate in ways they deem beneficial, such as traveling exhibits and long term loans of objects, to the extent permitted by the laws of both countries, and under circumstances in which such exchange does not jeopardize the cultural patrimony of either country.

J. The Government of the Republic of Honduras shall continue 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 heritage, such as the departments of public works, transportation, and housing.