

**No. 51239. United States of America and Cambodia**

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF CAMBODIA CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS ON KHMER ARCHAEOLOGICAL MATERIAL. PHNOM PENH, 19 SEPTEMBER 2003

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 KINGDOM OF CAMBODIA CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS ON KHMER ARCHAEOLOGICAL MATERIAL. PHNOM PENH, 14 AUGUST 2008 AND 26 AUGUST 2008\*

**Entry into force:** 26 August 2008 by the exchange of the said notes, in accordance with their provisions

**Authentic text:** English

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**N° 51239. États-Unis d'Amérique et Cambodge**

MÉMORANDUM D'ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DU ROYAUME DU CAMBODGE RELATIF À L'IMPOSITION DE RESTRICTIONS À L'IMPORTATION D'OBJETS ARCHÉOLOGIQUES KHMERS. PHNOM PENH, 19 SEPTEMBRE 2003

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD MODIFIANT ET PROROGÉANT LE MÉMORANDUM D'ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DU ROYAUME DU CAMBODGE RELATIF À L'IMPOSITION DE RESTRICTIONS À L'IMPORTATION D'OBJETS ARCHÉOLOGIQUES KHMERS. PHNOM PENH, 14 AOÛT 2008 ET 26 AOÛT 2008\*

**Entrée en vigueur :** 26 août 2008 par l'échange desdites notes, conformément à leurs dispositions

**Texte authentique :** anglais

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

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

I

No: 594

The Embassy of the United States of America refers the Ministry of Foreign Affairs and International Cooperation of the Government of the Kingdom of Cambodia to the Memorandum of Understanding Between the Government of the United States of America and the Government of the Kingdom of Cambodia Concerning the Imposition of Import Restrictions on Khmer Archaeological Material signed at Phnom Penh September 19, 2003 (hereinafter referred to as “the MOU”). The Embassy, on behalf of the Government of the United States of America, proposes that, pursuant to Article IV. B of the MOU, the MOU be extended for an additional five-year period.

The Embassy further proposes that, pursuant to Article IV. B of the MOU, the MOU be amended by replacing Article II with the attached revised Article II. The Embassy also proposes several changes in the wording of the MOU, including the title. A list of the proposed changes is also attached.

If the foregoing proposals are acceptable to the Ministry of Foreign Affairs and International Cooperation, 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 MOU, which shall enter into force on the date of the Ministry’s note in reply and shall take effect on September 19, 2008.

Embassy of the United States of America

Phnom Penh, August 14, 2008.

Attachments:

As stated.

cc: Ministry for Foreign Affairs



**Amendments to the Memorandum of Understanding (2008)**

**TITLE**

Current – “Memorandum of Understanding Between the Government of the United States of America and the Government of the Kingdom of Cambodia Concerning the Imposition of Import Restrictions on Khmer Archaeological Material”

Delete – “...Khmer Archaeological Material”

Insert – “...*Archaeological Material from Cambodia from the Bronze Age through the Khmer Era*”

Amended Title – – “Memorandum of Understanding Between the Government of the United States of America and the Government of the Kingdom of Cambodia Concerning the Imposition of Import Restrictions on Archaeological Material from Cambodia from the Bronze Age through the Khmer Era”

**PREAMBLE**

Current – “Desiring to reduce the incentive for pillage of certain categories of irreplaceable archaeological material representing the Khmer culture of Cambodia from approximately the 6th century through the 16th century A.D., and including objects comprised of stone, metal (mainly bronze), and ceramic;”

Delete – “the Khmer culture of Cambodia from approximately the 6th century through the 16th century A.D., and including objects comprised of stone, metal (mainly bronze), and ceramic;”

Insert – “a continuum of culture from the Bronze Age through the Khmer era;”

Amended paragraph – “Desiring to reduce the incentive for pillage of certain categories of irreplaceable archaeological material representing a continuum of culture from the Bronze Age through the Khmer era;”

## **ARTICLE I**

**Current – “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 certain categories of Khmer archaeological material, identified on a list to be promulgated by the United States Government (hereinafter known as the "Designated List"), unless the Government of the Kingdom of Cambodia issues a certification or other documentation which certifies that such exportation was not in violation of its laws.”**

**Delete – “Khmer”**

**No addition**

**Amended Article – “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 certain categories of archaeological material, identified on a list to be promulgated by the United States Government (hereinafter known as the "Designated List"), unless the Government of the Kingdom of Cambodia issues a certification or other documentation which certifies that such exportation was not in violation of its laws.”**

## **ARTICLE II**

**Substitute new Article II (attached)**