No. 244

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Peru and has the honor to refer to the Memorandum of Understanding Between the Government of the United States of America and the Government of Peru Concerning the Imposition of Import Restrictions on Archaeological Material from the Prehispanic Cultures and Certain Ethnological Material from the Colonial Period of Peru done at Washington June 9, 1997 (hereinafter referred to as the MOU).

The Embassy proposes that, pursuant to Article IV A of the MOU, the MOU be extended for an additional five-year period from June 9, 2002.

The Embassy proposes further that, pursuant to Article IV B of the MOU, the MOU be amended by replacing Article II D and H as follows:

"D. The Government of Peru will use its best efforts to permit the exchange of its archaeological and ethnological materials under circumstances in which such exchange does not jeopardize its cultural patrimony, such as temporary loans for exhibition purposes and study abroad, and to expedite procedures for the export of
samples for scientific research. The Government of Peru will also consider granting long-term loans of objects of archaeological or ethnological interest for exhibit or study at museums and academic institutions in the United States.

H. The Government of Peru will use its best efforts to carry out the legal reforms necessary to improve further the protection of its archaeological and ethnological cultural patrimony, as well as provide the means to enforce the laws and regulations guiding the protection of cultural property."

If the foregoing proposals are acceptable to the Government of Peru, the Embassy of the United States of America proposes that this note, and the Ministry's affirmative note in reply, shall constitute an agreement between our two Governments, which shall enter into force on the date of your note in reply and shall be effective from June 9, 2002.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs assurance of its highest consideration.

Embassy of the United States of America,
La Embajada de los Estados Unidos de América saluda muy atentamente al Ministerio de Relaciones Exteriores de la República del Perú y tiene el honor de hacer referencia al Memorándum de Entendimiento entre el Gobierno de los Estados Unidos de América y el Gobierno del Perú relativo a la Imposición de Restricciones de Importación sobre Material Arqueológico de las Culturas Prehispánicas y cierto Material Etnológico del Período Colonial del Perú realizado en Washington el 9 de junio de 1997 (en adelante denominado MdE).

La Embajada propone que, de acuerdo con el Artículo IV A del MdE, el MdE se prorrogue por un periodo adicional de cinco años, comenzando el 9 de junio de 2002.

La Embajada propone además que, de acuerdo al Artículo IV B del MdE, el MdE sea enmendado, reemplazando los párrafos D y H del Artículo II como se especifica a continuación:

"D. El Gobierno del Perú hará cuanto pueda para permitir el intercambio de sus materiales arqueológicos y etnológicos en circunstancias en que dicho intercambio no ponga en peligro su patrimonio cultural, tales como préstamos temporales para fines de exposición y estudio en
el extranjero, y para acelerar los procedimientos para la exportación de muestras con fines científicos. Asimismo, el Gobierno del Perú considerará otorgar en préstamo a largo plazo, objetos de interés arqueológico o etnológico para su exhibición o estudio en museos e instituciones académicas de los Estados Unidos.

H. El Gobierno del Perú hará cuanto pueda para llevar a cabo las reformas jurídicas necesarias para mejorar aún más la protección de su patrimonio cultural etnológico y arqueológico, y facilitará los medios para que se cumplan las leyes y normas que orientan la protección de la propiedad cultural.”

Si las propuestas mencionadas anteriormente son aceptables para el Gobierno del Perú, la Embajada de los Estados Unidos de América propone que esta nota, y la nota de respuesta afirmativa del Ministerio, constituyan un acuerdo entre nuestros Gobiernos, que entrará en vigencia en la fecha de su nota de respuesta y se aplicará a partir del 9 de junio de 2002.

La Embajada de los Estados Unidos se vale de esta oportunidad para renovar al Ministerio de Relaciones Exteriores de la República del Perú las seguridades de su más alta consideración.

Embajada de los Estados Unidos de América

Lima, 22 de marzo de 2002.
The Ministry of Foreign Affairs of Peru presents its compliments to the Honourable Embassy of the United States of America and has the honor to acknowledge receipt of the Note N° 244 of March 22, 2002 concerning the Memorandum of Understanding Between the Government of the United States of America and the Government of Peru Concerning the Imposition of Import Restrictions on Archaeological Material from the Prehispanic Cultures and Certain Ethnological Material from the Colonial Period of Peru signed at Washington D.C. June 9, 1997 (hereinafter referred to as the MOU), which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Peru and has the honor to refer to the Memorandum of Understanding Between the Government of the United States of America and the Government of Peru Concerning the Imposition of Import Restrictions on Archaeological Material from the Prehispanic Cultures and Certain Ethnological Material from the Colonial Period of Peru done at Washington June 9, 1997 (hereinafter referred to as the MOU).

The Embassy proposes that, pursuant to Article IV A of the MOU, the MOU be extended for an additional five-year period from June 9, 2002.

The Embassy proposes further that, pursuant to Article IV B of the MOU, the MOU be amended by replacing Article II D and H as follows:

"D. The Government of Peru will use its best efforts to permit the exchange of its archaeological and ethnological materials under circumstances in which such exchange does not jeopardize its
cultural patrimony, such as temporary loans for exhibition purposes and study abroad, and to expedite procedures for the export of samples for scientific research. The Government of Peru will also consider granting long-term loans of objects of archaeological or ethnological interest for exhibit or study at museums and academic institutions in the United States.

H. The Government of Peru will use its best efforts to carry out the legal reforms necessary to improve further the protection of its archaeological and ethnological cultural patrimony, as well as provide the means to enforce the laws and regulations guiding the protection of cultural property."

If the foregoing proposals are acceptable to the Government of Peru, the Embassy of the United States of America proposes that this note, and the Ministry’s affirmative note in reply, shall constitute an agreement between our two Governments, which shall enter into force on the date of your note in reply and shall be effective from June 9, 2002.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs assurance of its highest consideration."

The Ministry of Foreign Affairs of Peru has honour to inform the Embassy of the United States of America that the foregoing proposal is acceptable to the Government of Peru and to confirm that the Note N° 244 and this Note in reply shall constitute an agreement between our two Governments which shall enter into force on this date and be effective from June 9, 2002.

The Ministry of Foreign Affairs of Peru avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest and distinguished consideration.

Lima, March 22, 2002