

**CULTURAL EXCHANGES, PROPERTY
AND COOPERATION**

**Agreement Between the
UNITED STATES OF AMERICA
and BOLIVIA**

**Amending and Extending the
Memorandum of Understanding of
December 4, 2001**

As Amended and Extended

Effected by Exchange of Notes at
La Paz November 8 and 30, 2016, and
January 24, 2017



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

BOLIVIA

Cultural Exchanges, Property and Cooperation

*Agreement amending and extending the
memorandum of understanding
of December 4, 2001,
as amended and extended.*

*Effected by exchange of notes at
La Paz November 8 and 30, 2016,
and January 24, 2017;*

*Entered into force January 24, 2017;
With effect from December 4, 2016.*

No. 415/2016

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Plurinational State of Bolivia and has the honor to refer to the Memorandum of Understanding between the Government of the United States of America and the Government of the Republic of Bolivia Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures and Certain Ethnological Material from the Colonial and Republican Periods of Bolivia, signed in Washington, D.C., on December 4, 2001, as amended and extended by an exchange of notes dated November 27 and 29, 2006 and as extended by an exchange of notes dated October 31 and November 10, 2011.

The Embassy, on behalf of the Government of the United States of America, proposes that, pursuant to Article IV of the Memorandum of Understanding (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 as follows:

DIPLOMATIC NOTE

1) That all references to “Republic of Bolivia” in the MOU be replaced with “Plurinational State of Bolivia;” and

2) Article II of the MOU shall be amended by replacing it with the revised Article II attached herewith in equally authentic English and Spanish versions.

If the foregoing proposals are acceptable to the Government of the Plurinational State of Bolivia, the Embassy proposes that this note, including its attached revised Article II, and the Ministry’s affirmative note in reply shall constitute an agreement between the two governments to extend and amend the MOU, which shall enter into force on the date of the Ministry’s note in reply, with effect from December 4, 2016.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Relations of the Plurinational State of Bolivia the assurances of its highest consideration.

Attachment:
As stated.

Embassy of the United States of America,

La Paz, November 8, 2016.



Article II

- A. The Government of the United States of America and the Government of the Plurinational State of Bolivia shall publicize this Memorandum of Understanding and the reasons for it.
- B. Both Governments desire to enhance the appreciation of the cultural heritage of the Plurinational State of Bolivia; and, toward that end, the Government of the Plurinational State of Bolivia shall endeavor to permit the exchange of its archaeological and ethnological objects for cultural, educational and scientific purposes.
- C. The Government of the United States shall endeavor to respond to requests from the Government of the Plurinational State of Bolivia for expertise, collaboration, and other assistance related to the protection of the Plurinational State of Bolivia's cultural heritage, such as professional training in cultural resource management and security.
- D. The Government of the Plurinational State of Bolivia shall continue its efforts to educate its citizens about the need to safeguard cultural heritage and to develop further the technical and managerial professions relating to cultural heritage protection, so as to prepare a workforce capable of protecting the patrimony for future generations.
- E. Considering recent revisions of cultural heritage laws of the Plurinational State of Bolivia, the Government of the Plurinational State of Bolivia shall endeavor to train investigators, prosecutors, and judges regarding cultural property crime.
- F. Having made excellent progress in the protection of Colonial-period heritage, the Government of the Plurinational State of Bolivia shall continue efforts to document and register cultural property using international standards, including digital imagery, so that theft reports can be shared rapidly with law enforcement agencies.
- G. To the extent possible, the Government of the Plurinational State of Bolivia shall devise and maintain a system to document and track incidents of looting at archaeological sites.
- H. The Government of the Plurinational State of Bolivia shall endeavor to increase and expand its cooperation with other countries to curtail the illicit trafficking of cultural property.



Translation

[Shield]

Plurinational State of Bolivia

Ministry of Foreign Relations

Embassy of the United States of America
La Paz

VGIC-Cs-248/2016

La Paz, November 30, 2016

The Ministry of Foreign Relations of the Plurinational State of Bolivia presents its compliments to the Embassy of the United States of America and has the honor to refer to the Memorandum of Understanding for the Protection of Cultural Property, signed by our two countries in 2001, and renewed in 2006 and 2011.

In this regard, this Ministry hereby communicates:

- Acceptance of the extension, as of December 4, 2016;
- That, in terms of amendments to the Memorandum of Understanding, the name of the Bolivian State needs to be updated by replacing all references to the "Republic of Bolivia" with the "Plurinational State of Bolivia;"
- That, with regard to the stated amendments to Article II, these changes entail revising an international instrument, which is not acceptable to the competent Ministry of State, and therefore the original text should be retained.

The Ministry of Foreign Relations of the Plurinational State of Bolivia should be grateful to have the foregoing communicated to the pertinent authorities for their review and

[complimentary close.]

[Seal of the Ministry of International Relations]



ESTADO PLURINACIONAL DE BOLIVIA
MINISTERIO DE RELACIONES EXTERIORES

VGIC-Cs-248/2016

EL MINISTERIO DE RELACIONES EXTERIORES DEL ESTADO PLURINACIONAL DE BOLIVIA, saluda muy atentamente a la Honorable Embajada de Estados Unidos de América y tiene a bien hacer referencia al Memorándum de Entendimiento para la Protección del Patrimonio Cultural, firmado por nuestros países en el año 2001 y renovado el 2006 y 2011.

Al respecto, este Ministerio cumple en comunicar:

- Aceptación de la prórroga desde el 4 de diciembre de 2016.
- Respecto a las modificaciones al Memorándum de Entendimiento, se debe actualizar el nombre del Estado boliviano, con Estado Plurinacional de Bolivia en lugar de República de Bolivia.
- Respecto a las modificaciones referidas al artículo II, se considera que éstas implican revisión del instrumento internacional, situación no aceptada por el Ministerio de Estado competente, por lo que debe mantenerse el texto original.

EL MINISTERIO DE RELACIONES EXTERIORES DEL ESTADO PLURINACIONAL DE BOLIVIA, al agradecer que se ponga lo anterior en conocimiento de las autoridades pertinentes a fin de conocer sus criterios, hace propicia la oportunidad para reiterar a la Honorable Embajada de Estados Unidos de América, las seguridades de su más alta y distinguida consideración.



La Paz, 30 NOV 2016

A la Honorable
EMBAJADA DE ESTADOS UNIDOS DE AMÉRICA
Presente.-

No. 020-2017

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Relations of the Plurinational State of Bolivia and acknowledges receipt of the attached Note No. VGIC-Cs-248/2016, dated November 30, 2016, from the Ministry, in which the Ministry communicates the following:

- “Acceptance of the extension, as of December 4, 2016;
- That, in terms of amendments to the Memorandum of Understanding, the name of the Bolivian State needs to be updated by replacing all references to the ‘Republic of Bolivia’ with the ‘Plurinational State of Bolivia;’
- That, with regard to the stated amendments to Article II, these changes entail revising an international instrument, which is not acceptable to the competent Ministry of State, and therefore the original text should be retained.”

DIPLOMATIC NOTE

The Embassy confirms that the foregoing proposals are acceptable to the Government of the United States of America. Therefore, the Embassy's note No. 415/2016, dated November 8, 2016, the Ministry's note No. VGIC-Cs-248/2016, dated November 30, 2016, and this note in reply shall, taken together, constitute an Agreement, which shall enter into force upon the date of this note, with effect from December 4, 2016.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Relations of the Plurinational State of Bolivia the assurances of its highest consideration.

Attachment: As stated.

Embassy of the United States of America,
La Paz, January 24, 2017.

