

Memorandum of Understanding

Between the Government of the United States of America and the Government of the Republic of Cyprus Concerning the Imposition of Import Restrictions on Pre-Classical and Classical Archaeological Objects and Byzantine Period Ecclesiastical and Ritual Ethnological Material

The Government of the United States of America and the Government of the Republic of Cyprus;

Acting pursuant to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, to which both countries are States Party; and

Desiring to reduce the incentive for pillage of irreplaceable archaeological objects and ethnological materials representing the Pre-classical, Classical, and Byzantine periods of Cypriot history,

Have agreed as follows:

ARTICLE I

- A. The Government of the United States of America, in accordance with its legislation entitled the Convention on Cultural Property Implementation Act (“the Act”), will restrict the importation into the United States of certain categories of Pre-classical and Classical archaeological objects and Byzantine ecclesiastical and ritual ethnological materials to be listed on a Designated List as provided by the Act, unless the Government of the Republic of Cyprus issues a certification or other documentation which certifies that such exportation was not in violation of its laws.
- B. Such import restrictions will become effective on the date the Designated List is published in the U.S. *Federal Register*, the official United States Government publication providing fair public notice.
- C. The Government of the United States of America shall offer for return to the Government of the Republic of Cyprus any object of the type described on the Designated List forfeited to the Government of the United States of America.

ARTICLE II

- A. The Government of the United States of America and the Government of the Republic of Cyprus should seek to publicize this Memorandum of Understanding and the reasons for it, through various means available.
- B. The Government of the Republic of Cyprus will expand its efforts to discourage pillage of cultural resources, and the unauthorized export of such material, through tourist education programs, including posting appropriate warnings at airports, hotels, museums, and other public areas that draw attention to this Memorandum of Understanding and to the cultural heritage protection laws of Cyprus.
- C. The Government of the Republic of Cyprus will expand its initiatives in support of the importance of protecting and preserving the cultural heritage of Cyprus into schools and to the general public.
- D. Both Governments agree that, in order for United States import restrictions to be fully successful in deterring pillage, the Government of the Republic of Cyprus will continue to seek similar cooperation from countries with significant import trade in Cypriot archaeological artifacts and ethnological materials and will strengthen enforcement of its own cultural heritage protection laws.
- E. The Government of the Republic of Cyprus will seek to complete its inventory of cultural resources in museums, ecclesiastical buildings, private collections, and archaeological sites. Every effort should be made to engage all Cypriots in this effort.
- F. The Government of the Republic of Cyprus will develop management plans for the effective protection of those archaeological sites that are open to the public.
- G. The Government of the Republic of Cyprus will use its best efforts to further restrict the use of metal detectors.
- H. Recognizing that rapid land development can give rise to pillage, the Government of the Republic of Cyprus will seek ways to partner with private cultural resource management entities for the purpose of conducting salvage archaeology and historic preservation.
- I. The Government of the Republic of Cyprus will, with the assistance of the international community, study ways to prevent illegal exports from anywhere on the island.
- J. The Government of the Republic of Cyprus will seek to expand the exchange of its archaeological objects and its ethnological materials under circumstances in which such exchange does not jeopardize its cultural heritage, such as for temporary loans for exhibitions, including long-term loans whenever appropriate, and for other cultural, educational, and scientific purposes.
- K. The Government of the United States of America will use its best efforts to expand exchanges with Cyprus that foster greater understanding and preservation of Cypriot heritage.
- L. Both parties to this Memorandum of Understanding will continue to support bi-communal activity regarding cultural preservation on the island.
- M. The Government of the United States of America and the Government of the Republic of Cyprus agree to provide each other, either upon request or on their own initiative, with information which helps to ensure proper application of the relevant legislation protecting archaeological materials as indicated in the Designated List, and any other available information on activities involving the smuggling of objects on the List or on persons who are involved in such activities.

ARTICLE III

The obligations of both Governments and the activities carried out under this Memorandum of Understanding shall be subject to the laws and regulations of each Government, as applicable, including the availability of funds.

ARTICLE IV

- A. This Memorandum of Understanding shall enter into force upon signature. It shall remain in force for a period of five years, unless extended.
- B. This Memorandum of Understanding may be amended through an exchange of diplomatic notes.
- C. The effectiveness of this Memorandum of Understanding will be subject to review in order to determine, before the expiration of the five-year period of this Memorandum of Understanding, whether it should be extended. The review will encompass the articles in this Memorandum of Understanding and the four determinations required under the Convention on Cultural Property Implementation Act (19 USC 2602(a)).

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed the present Memorandum of Understanding.

DONE at Washington, this 16th day of July, 2002 in the English language. [Amended by exchange of Diplomatic Notes on 17 August, 2006] [Extended and Amended by exchange of Diplomatic Notes on July 6, 2007]

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA: [B. Lynn Pascoe]

FOR THE GOVERNMENT OF THE REPUBLIC OF CYPRUS: [Erato Kozakou-Marcoullis]