

No. 11047

**UNITED STATES OF AMERICA
and
GUATEMALA**

**Exchange of notes constituting an agreement concerning
cultural property. Guatemala, 12 and 13 August 1970**

Authentic texts: English and Spanish.

Registered by the United States of America on 4 May 1971.

**ÉTATS-UNIS D'AMÉRIQUE
et
GUATEMALA**

**Échange de notes constituant un accord relatif à la propriété
culturelle. Guatemala, 12 et 13 août 1970**

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 4 mai 1971.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
GUATEMALA CONCERNING CULTURAL PROPERTY

I

*The American Ambassador to the Minister of Foreign Relations
of Guatemala*

Guatemala, August 12, 1970

No. 180

Excellency:

I have the honor to refer to recent conversations concerning a Major International Exhibition of Pre-Colombian Sculpture to be held at the Metropolitan Museum of Art in New York. In accordance with the conclusions reached in those conversations, I have the honor on behalf of the Government of the United States of America to propose the following arrangements and understandings:

1. The Metropolitan Museum of Art plans to present a Major Exhibition of Pre-Colombian Sculpture loaned by a number of countries of the Museum on the occasion of its 100th anniversary. The exhibition entitled "Before Cortes: Sculpture of Middle America" will be presented in New York City from September 28, 1970 through January 3, 1971.

2. In connection with this important exhibition the Metropolitan Museum of Art has concluded agreements for the loan of art objects with the Guatemalan Institute of Anthropology and History representing the National Museum, the Tikal Museum, the Regional Museum of Chichicastenango, and the Municipality of La Democracia, and with six private lenders. The Metropolitan Museum of Art, at the request of the Guatemalan Government made in order to fulfill pertinent legal requirements on the subject, has agreed to return the objects received as loans for which it will serve as depository

¹ Came into force on 13 August 1970, date of the note in reply, in accordance with the provisions of the said notes.

in the same condition in which they were given, at the end of the exhibition and in any case within one year of the date they left Guatemala. The Metropolitan Museum of Art has agreed to provide for the necessary insurance as required by the Government of Guatemala and to pay all costs of packing and shipping to and from the United States and other necessary expenses related to such loans of art objects for the exhibition at the Museum. Copies of the agreements identifying the objects and the lenders declared valuations for insurance purposes are attached as annex I.* The necessary insurance has been issued by Comercial Aseguradora Suizo-Americana, S. A.

3. The authorized law enforcement agencies in the United States will be responsible for providing protective and security measures for safeguarding the loaned art objects within their jurisdiction, and the United States Government will take appropriate measures consistent with the laws of the United States for the return of these art objects from the United States to Guatemala, their country of origin.

4. It is understood, however, that the Government of Guatemala will look exclusively to the insurance provided by the Metropolitan Museum of Art to satisfy any financial responsibility arising in connection with this exhibition.

I have the honor to propose that, if these arrangements and understandings are acceptable to the Government of Guatemala, this note and Your Excellency's reply to that effect shall constitute an agreement between the Government of the United States of America and the Government of Guatemala which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to reiterate to Your Excellency the assurances of my highest and most distinguished consideration.

[Signed]

NATHANIEL DAVIS

Enclosure: Annex I *

His Excellency Roberto Herrera Ibarguen
Minister of Foreign Relations
Guatemala

* Not printed.

In reply, I am happy to inform Your Excellency that the Government of Guatemala accepts in all their parts the arrangements and understandings referred to in the note to which I am replying; consequently, that note and this note shall constitute a formal agreement between our two Governments on the matter, which shall enter force on this date.

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

ROBERTO HERRERA

His Excellency Nathaniel Davis
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Guatemala
