

No. 15107

**UNITED STATES OF AMERICA
and
EGYPT**

**Exchange of notes constituting an agreement relating to the
exhibition of art treasures. Washington, 28 October
1975**

Authentic text: English.

Registered by the United States of America on 10 November 1976.

**ÉTATS-UNIS D'AMÉRIQUE
et
ÉGYPTE**

**Échange de notes constituant un accord relatif à l'exposition
de trésors artistiques. Washington, 28 octobre 1975**

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 10 novembre 1976.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND EGYPT RELATING TO THE EXHIBITION OF ART TREASURES

I

DEPARTMENT OF STATE
WASHINGTON

October 28, 1975

Excellency:

I have the honor to refer to the joint statement issued on June 14, 1974,² by President Sadat and President Nixon, Article II(c) of the Cultural Agreement between the United States of America and the Arab Republic of Egypt of May 21, 1962,³ and to recent conversations concerning the exhibition in the United States of the "treasures of Tutankhamun" and of other items of Pharaonic art. 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. Six museums in the United States, beginning in late 1976, plan to hold a series of exhibitions of relics of the period of Tutankhamun and other items of Pharaonic art, the public exhibition in each museum to be for a period of four months.

2. It is envisaged that the Metropolitan Museum of Art of New York, New York, will act as agent on behalf of the participating United States museums, and will conclude an agreement with the Cairo Museum for this purpose. This agreement is expected to include a list of the objects to be exhibited, with their individual valuations, which are not to be subject to alteration or modification except with the consent of the Metropolitan Museum and of the Cairo Museum. This agreement is expected to set forth financial arrangements and all other necessary details concerning the exhibitions.

3. The Government of the Arab Republic of Egypt shall take the necessary steps to authorize a series of exhibitions in the United States of the objects referred to in paragraph 2.

4. The objects to be exhibited shall be furnished by the Government of the Arab Republic of Egypt, as a loan, solely for the purpose of the exhibitions. The Government of the United States, for its part, undertakes, consistent with the laws of the United States (a) to respect the rights of the Cairo Museum and the Government of the Arab Republic of Egypt in the objects to be exhibited, and (b) to protect these objects against any form of sequestration, seizure, or any other forms of judicial process affecting the rights of the Cairo Museum or the Government of the Arab Republic of Egypt, whether on the part of another government or an individual or an organization. The law enforcement agencies in the United States will be responsible for taking appropriate measures for the physical security and protection of the objects, from the time of their arrival in the United States until the time of their departure from the United States under the agreement between the Metropolitan Museum and the Cairo Museum. It is understood, however, that the Government of the Arab Republic of Egypt will look exclusively to the insurance referred to in paragraph 6 below to satisfy any financial responsibility arising for loss or damage in connection with the exhibitions in the United States.

5. It is envisaged that the Government of the Arab Republic of Egypt shall not be charged by the Metropolitan Museum or the other participating museums with any

¹ Came into force on 28 October 1975, the date of the note in reply, in accordance with the provisions of the said notes.

² See "Agreement relating to principles of relations and co-operation between the United States of America and Egypt", in United Nations, *Treaty Series*, vol. 967, p. 137.

³ *Ibid.*, vol. 458, p. 197.

expenses or have any financial obligations of any sort toward them in connection with the exhibitions. The Government of the Arab Republic of Egypt and the Cairo Museum shall not be subject to any customs duties, taxes, or other charges by the Government of the United States in connection with the entry or departure of the objects in the exhibitions.

6. The agreement between the Cairo Museum and the Metropolitan Museum is expected to provide for the insurance of the objects from the time of the departure of the objects from the Cairo Museum to the time of their arrival at the Cairo Museum on their return. Insurance is expected to be provided at no cost to the Government of the Arab Republic of Egypt or the Cairo Museum, and appropriate certification of such coverage is expected to be provided to the Government of the Arab Republic of Egypt before the removal of the objects from the Cairo Museum.

7. Further particulars relating to the holding of the exhibitions such as those relating to packing, unpacking and transport of the objects to be exhibited, the participation of representatives of the Cairo Museum, the production of any representation or copy of any of the objects to be exhibited, together with any other matters, may be the subject of provisions to be made between the Cairo Museum and the Metropolitan Museum.

I have the honor to propose that, if these arrangements and understandings are acceptable to the Government of the Arab Republic of Egypt, 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 the Arab Republic of Egypt, 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.

HENRY A. KISSINGER
Secretary of State

His Excellency Ismail Fahmy
Deputy Prime Minister and Minister of Foreign Affairs
of the Arab Republic of Egypt

II

The Egyptian Deputy Prime Minister and Minister of Foreign Affairs to the Secretary of State

Excellency:

October 28, 1975

I have the honor to acknowledge receipt of your Note of October 28, 1975 which reads as follows:

[See note I]

I wish to confirm that the foregoing is acceptable to the Arab Republic of Egypt.

Accept, Excellency, the renewed assurances of my highest consideration.

The Honorable Henry A. Kissinger
Secretary of State
Washington, DC

[Signed—Signé]¹

¹ Signed by Ismail Fahmy—Signé par Ismail Fahmy.