

**No. 23118**

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**MEXICO  
and  
GUATEMALA**

**Agreement concerning the protection and return of  
archaeological, artistic and historic works. Signed at  
Rosario Izapa, Mexico, on 31 May 1975**

*Authentic text: Spanish.*

*Registered by Mexico on 30 October 1984.*

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**MEXIQUE  
et  
GUATEMALA**

**Accord relatif à la protection et à la restitution de monuments  
archéologiques, artistiques et historiques. Signé à Rosario  
Izapa (Mexique) le 31 mai 1975**

*Texte authentique : espagnol.*

*Enregistré par le Mexique le 30 octobre 1984.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> CONCERNING THE PROTECTION AND RETURN OF  
ARCHAEOLOGICAL, ARTISTIC AND HISTORIC WORKS

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The Government of the United Mexican States and the Government of the Republic of Guatemala, desiring to promote the study and knowledge of the archaeological, artistic and historic treasures of both countries and to establish rules for the protection, recovery and return of cultural property from their respective national heritages stolen from either Party or illegally exported from its territory, hereby agree as follows:

*Article I.* Each Party undertakes to prohibit and prevent the entry into its territory of archaeological, artistic and historic works stolen from museums, monuments, collections or archaeological sites of the other Party and works whose export has not been expressly authorized by the Government of the country of origin.

*Article II.* At the request of either Party, the Parties agree to apply the legal means at their disposal in order to recover and return the archaeological, artistic and historic works stolen or illegally exported from the territory of the requesting Party. The latter shall furnish the documents and evidence needed to substantiate its claim. If it is unable to assemble and provide such documentation, the admissibility of the claim shall be determined by procedures agreed upon by the Parties through the diplomatic channel.

*Article III.* The expenses incident to the recovery and return referred to in article II shall be borne by the requesting Party and no person or institution may claim compensation from the Party returning the property in question for any damage or loss that may have been sustained. Nor shall the requesting Party be obliged to offer compensation to anyone who illegally exported or acquired the property.

*Article IV.* Both Parties agree that the requesting country shall apply the national legislation in force through the competent authorities to any persons in its territory who may have participated in the theft or illegal export of archaeological, artistic and historic works.

*Article V.* Both Parties undertake to waive customs duties and local taxes on archaeological, artistic and historic works recovered and returned under this Agreement.

*Article VI.* The Parties agree that for the purposes of this Agreement archaeological works shall mean the movable and immovable property produced by cultures existing prior to the establishment of the Hispanic culture in the territory of either nation, as well as human remains and remains of flora and fauna related to those cultures; artistic works shall mean national works of outstanding aesthetic value of either Party, and historic works shall mean objects linked to the history of either country since the establishment of the Hispanic culture in that country. These definitions shall be applied in conformity with the relevant legislation in force in each country. Any question about these definitions shall be resolved through the diplomatic channel.

*Article VII.* This Agreement shall enter into force on the date on which the Parties notify each other of the completion of the formalities required under their respective constitutions.

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<sup>1</sup> Came into force on 18 January 1977, the date on which the Parties notified each other of the completion of their respective constitutional procedures, in accordance with article VII.

*Article VIII.* This Agreement may be amended at the request of either Party by mutual agreement of the Parties. The amendments shall enter into force on the date on which the Parties notified each other of the completion of the formalities required under their respective constitutions.

*Article IX.* This Agreement shall remain in effect indefinitely, unless either Party gives the other Party one year's notice of its intention to terminate it.

DONE in duplicate at Rosario Izapa, Chiapas, Mexico, both texts being equally authentic, on the thirty-first day of May 1975.

For the Government  
of the United Mexican States:

[Signed]

EMILIO O. RABASA  
Secretary for Foreign Affairs

For the Government  
of the Republic of Guatemala:

[Signed]

ADOLFO MOLINA ORANTES  
Minister for Foreign Affairs

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