

**AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF THE REPUBLIC OF MALI
CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS
ON ARCHAEOLOGICAL MATERIAL FROM MALI
FROM THE PALEOLITHIC ERA (STONE AGE)
TO APPROXIMATELY THE MID-EIGHTEENTH CENTURY**

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

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 certain categories of irreplaceable archaeological material representing a continuum of civilizations from the Neolithic period to the colonial occupation;

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, will continue to restrict the importation into the United States of the archaeological material listed in the this Agreement (hereafter "Designated List"), first promulgated by regulation on September 23, 1993 as an emergency measure. The restriction will continue to apply unless the Government of the Republic of Mali issues a certification or other documentation which certifies that such exportation was not in violation of its laws.
- B. The continuation of 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 Mali any material on the Designated List forfeited to the Government of the United States of America.

ARTICLE II

- A. The Government of the Republic of Mali shall use its best efforts to permit the exchange of its archaeological material for educational, cultural and scientific purposes under circumstances in which such exchange does not jeopardize its cultural patrimony.
- B. Representatives of the Government of the United States and representatives of the Government of the Republic of Mali will take action to publicize this Agreement.
- C. As appropriate under existing programs in the public and/or private sectors, the Government of the United States shall use its best efforts to 1) respond to requests from the Republic of Mali for technical assistance in cultural resource management and security, and 2) promote professional exchanges to enhance the capacity of the Republic of Mali in exhibition preparation and conservation science.
- D. Both Governments shall seek to encourage academic institutions, non-governmental institutions, and other organizations to cooperate in the interchange of knowledge and information about the cultural patrimony of the Republic of Mali, and to collaborate in the preservation and protection of its cultural patrimony through appropriate technical assistance, training and resources.
- E. The Government of the Republic of Mali shall seek to develop and promote professional training programs for archaeologists, museum staff, and public institution administrators responsible for cultural patrimony.
- F. Recognizing the successful initiatives of the Government of the Republic of Mali through the establishment of Cultural Missions that carry out research, site management, and educational programs among local populations at major archaeological sites, the Government of the United States encourages the continuation of such measures as part of an effort toward sustainable strategies for protecting cultural resources.
- G. The Government of the Republic Mali shall establish an interministerial committee to coordinate activities to preserve cultural heritage and shall strengthen efforts to reduce the internal sale and export of the restricted antiquities, and sensitize tour operators and others about the need to protect archaeological sites against looting in regions such as the Sahara. This interministerial committee and the U.S. Embassy shall meet once a year to review the status of the Agreement.
- H. The Government of the Republic of Mali shall endeavor to strengthen cooperation with its neighboring states, for the protection of the cultural patrimony of the region. The Government of the Republic of Mali shall also seek the cooperation of other nations where there is a market for illicit Malian archaeological material to reduce the importation into those countries of such material.

ARTICLE III

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

ARTICLE IV

- A. This Agreement shall enter into force upon signature. It shall remain in force for a period not to exceed five years, unless extended.
- B. This Agreement may be amended through an exchange of diplomatic notes.
- C. The effectiveness of this Agreement will be subject to continuous review.

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

DONE at Washington, in duplicate, this nineteenth day of September, 1997, in the English and French languages, each text being equally authentic.

[Extended by exchange of Diplomatic Notes on September 19, 2002]

[Extended and amended by exchange of Diplomatic Notes on September 17, 2007]

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:

Johnnie Carson
U.S. Acting Assistant Secretary for
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R. Penn Kemble
Deputy Director
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FOR THE GOVERNMENT OF
THE REPUBLIC OF MALI:

Cheick Oumar Diarra
Ambassador of the Republic of Mali
to the United States