

**AGREEMENT BETWEEN BELIZE AND THE REPUBLIC OF GUATEMALA
FOR THE PROTECTION, CONSERVATION, RECOVERY AND RETURN OF
ITEMS OF CULTURAL AND NATURAL PATRIMONY WHICH HAVE BEEN
STOLEN, PILFERED, LOOTED, EXPORTED, IMPORTED OR TRAFFICKED
UNLAWFULLY**

Belize and the Republic of Guatemala, hereinafter called "the Parties,"

CONSIDERING

That both Parties are signatories to the Convention Concerning the Protection of the World, Cultural and Natural Heritage of United Nations Educational, Scientific, and Cultural Organization (UNESCO) and to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;

That the archaeological, artistic, historic, religious and cultural patrimony and those belonging to the natural heritage are the expressions of the wealth of the people; that their protection, conservation, recovery and return and the fight against theft, pilferage, looting and the unlawful exports, imports or trafficking are priority tasks for the Parties;

That cooperation between the Parties to return the cultural and natural assets which have been stolen, pilfered, looted, exported, imported or trafficked unlawfully constitutes an effective manner of protecting and recognizing the right of each country as the original owner of said assets, as well as an important contribution to the protection and preservation of its cultural and natural heritage;

That it is necessary to establish procedures for the recovery and return of the said items of cultural and natural heritage;

That the unique and distinctive character of the cultural and natural heritage of the respective Parties must be protected and preserved;

RECOGNIZING

That the archaeological, artistic, historic, religious and cultural patrimony of each Party is unique and should not be the object of theft, pilferage, looting and the unlawful export, import or trafficking;

CONSCIOUS

Of the serious damage that the theft, pilferage, looting and the unlawful export, import or trafficking presents to the Parties in relation to assets belonging to its patrimony, both the loss of these assets and the damage which is caused to archaeological sites and monuments and other archaeological materials; the flora, fauna and palaeontological heritage and other historic, cultural and natural interests;

ENCOURAGED

By the mutual desire to stimulate the protection, research and appreciation of the archaeological, artistic, historic, religious and cultural heritage assets and those belonging to the natural patrimony.

CONFIDENT

That cooperation between the Parties for the recovery of the archaeological, artistic, historic, religious and cultural heritage assets and those belonging to the natural patrimony which have been the object of theft, pilferage, looting and unlawful export, import or trafficking constitutes an efficient means to protect and acknowledge the right of the original owner of each Party.

Agree as follows:

ARTICLE 1 OBJECTIVE

The current Agreement aims to establish the basis and procedures on which the Parties shall cooperate on matters of protection, conservation, recovery and return of the archaeological, artistic, historic, religious and cultural assets and those matters comprising the natural and cultural patrimony which have been the subject of theft, looting, pilferage, the unlawful export, import or trafficking in their territories, as well as to enhance legal assistance in regards to investigation, prosecution and sanction of those responsible for these crimes.

ARTICLE 2 DEFINITIONS

For the purposes of this Agreement the term cultural patrimony shall be interpreted with the same effect as the term "cultural property" as stipulated in Article 1 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

**ARTICLE 3
IMPLEMENTATION**

The current Agreement applies to all categories of the cultural and natural heritage recognized by the national regulations of each Party, as well as by the pertinent international regulations.

**ARTICLE 4
COMMITMENTS OF THE PARTIES**

The Parties jointly commit to:

- a) Prohibit or impede the entry into their respective territory of cultural, archaeological, artistic, historic, religious and cultural assets from the other Party, that have been the subject of theft, looting, export, import and unlawful trafficking from the Party of origin.
- b) To take all legal measures at their disposal to prevent the export, import and unlawful trafficking of cultural patrimony and natural heritage.
- c) To utilize all means at their disposal for the seizure, recovery and return by petition of the State of origin, all those cultural assets that have been unlawfully removed, traded, exported or trafficked.
- d) To immediately inform the other Party, through theft reports, ideally via the format of the Object ID of cultural assets that have been the subject of theft, looting, export, import and unlawful trafficking when there is reason to believe that such items will be traded internationally.
- e) To carry out inter-institutional cooperation in each Party via administrative bodies that contribute to protect, prevent, and control those assets which are cultural heritage, for the purpose of preventing crimes committed in respect thereof and for criminal prosecution and sanctions where necessary.
- f) To promote the exchange of technical and professional knowledge on best practices through courses and/or workshops for recording and cataloguing cultural assets, as well as the prevention and control of their unlawful trafficking;
- g) The Parties will plan and fund activities for these purposes as jointly agreed and will seek national and/or international funding.

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ARTICLE 5
RETURN OF ASSETS

When one of the Parties knows of the entry of assets which are part of the cultural patrimony of the other Party into its territory, which have been the subject of theft, looting, export, import and unlawful trafficking, that Party will proceed to take measures for their immediate return.

The following procedure will be followed by the Parties for recovery and return:

- a) Promptly notify of the finding of cultural assets of unknown or doubtful origin and provide the other Party with all documentation of each cultural asset so located;
- b) The Party in possession of such cultural assets will ensure the safeguarding of such items under ideal conditions to ensure their proper conservation and security, being responsive to suggestions by the requesting Party as much as possible;
- c) The requesting Party will analyze and verify the cultural assets, based on documentation received using technical-professional procedures. If a physical examination is necessary at the safeguarding site, the other Party will provide administrative and technical assistance for such examination.
- d) Based on the results of the technical examination, the requesting Party may present a request for return through diplomatic channels, which shall be governed by this Agreement and in accordance with international conventions of which both are parties.
- e) The Parties, through their respective Central Authorities, will process the necessary documents and authorizations to facilitate the return of cultural assets to the Party of origin.

ARTICLE 6
CENTRAL AUTHORITIES

The Parties will designate, through diplomatic channels, the respective Central Authorities that will be charged with implementing this Agreement.

ARTICLE 7
INFORMATION EXCHANGE

The Parties will exchange information on all matters related to this Agreement, pursuant to their respective laws;

ARTICLE 8
TAX EXEMPTIONS

In accordance with the provisions of their respective national laws, as well as with the international treaties to which both are party, the return of the assets will be exempt from taxes and other customs duties, whether fiscal, monetary or of any other nature;

ARTICLE 9
FINAL PROVISIONS

1. The present Agreement is based on the "Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala," signed on 7th September 2005, that has as an objective the maintenance and deepening of friendly bilateral relations until the Territorial, Insular and Maritime Dispute is permanently resolved.
2. This Agreement is also based on the Road Map for the Strengthening of the Bilateral Relations signed in Washington, D.C. United States of America on 24th January 2014 by the Ministers of Foreign Affairs of the Parties, in which it was agreed to develop a programme of activities for the strengthening of the bilateral relations.
3. The present instrument shall not constitute a total or partial waiver of sovereignty over any territory (land, insular and maritime) claimed by either Party; nor shall any rights of either Party to such territory be prejudiced; nor shall any precedent be established for the strengthening or weakening of either Party's claims to any such territory. Each Party expressly reserves its rights with respect to its claims of sovereignty over any territory (land, insular or maritime).
4. The Parties agree that neither Party will use against the other, in any forum in which their territorial differendum may be addressed in the future, the fact that either of the Parties has accepted, agreed to, complied with or implemented any of the confidence building measures included herein.
5. Any dispute arising from the interpretation or application of this Agreement shall be resolved amicably through diplomatic channels.
6. This Agreement will enter into force on the date when both sides have received notification via diplomatic note that their respective legal requirements have been met.
7. The present Agreement will have a duration of ten (10) years and will be automatically extended for equal periods, unless any of the Parties, through written

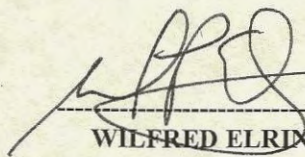
communication via diplomatic channels, revokes it, and the termination will be effective one (1) year after the respective notification.

8. The termination of this Agreement shall not affect the rights or benefits already acquired by the individuals by virtue of this Agreement.
9. This Agreement may be amended by mutual agreement of the Parties through written communications via diplomatic channels. Its entry into force will be in accordance with paragraph 6 of this Article.

Done in Placencia, Belize, on December 17, 2014 in two original copies, in the Spanish and English language, both texts being equally authentic.

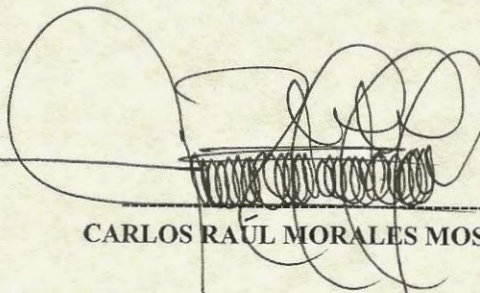
FOR BELIZE

FOR THE REPUBLIC OF GUATEMALA



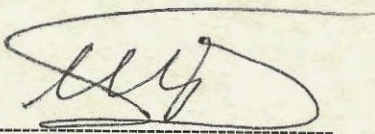
WILFRED ELRINGTON

**ATTORNEY GENERAL
AND MINISTER OF FOREIGN AFFAIRS**



CARLOS RAÚL MORALES MOSCOSO

MINISTER OF FOREIGN AFFAIRS



JOSÉ MIGUEL INSULZA

SECRETARY GENERAL OF THE ORGANIZATION OF AMERICAN STATES

(WITNESS OF HONOUR)