

**DECREE WHEREBY ALL THE WORKS OF ART PRODUCED BY THE MEXICAN ARTIST FRIDA KAHLO CALDERÓN ARE DECLARED TO BE ARTISTIC MONUMENTS, INCLUDING EASEL, GRAPHIC WORKS, ENGRAVINGS AND TECHNICAL DOCUMENTS, WHETHER PROPERTY OF THE NATION OR OF PRIVATE INDIVIDUALS**

On the margin, a seal with the National Coat of Arms, which reads: United Mexican States.- Presidency of the Republic.

**MIGUEL DE LA MADRID H.**, Constitutional President of the United Mexican States, in exercise of the powers vested in me by section I of the 89th article of the Political Constitution of the United Mexican States and based upon the provisions of articles 38, section XXI of the Organic Law of the Federal Public Administration 2nd, 3rd, section I; 5th, 6th, 13th, 16th, 17th, 22nd, 33rd and 34th of the Federal Law on Archeological, Artistic and Historic Monuments and Zones; and 2nd of the Law creating the National Institute of Fine Arts and Literature and

**WHEREAS**

The works of Frida Kahlo Calderón, given their unquestionable aesthetic value and the unanimous recognition they have received within the domestic artistic community, must be the object of the distinction and protection granted by the laws of the United Mexican States, reason for which I have considered appropriate to declare the production of said Mexican artist an artistic monument and have therefore issued the following

**DECREE**

**ARTICLE 1.-** All works by Mexican artist Frida Kahlo Calderón are hereby declared to be artistic monuments, including easel works, graphic works, engravings and technical documents, whether property of the nation or of private individuals.

**ARTICLE 2.-** The National Institute of Fine Arts and Literature shall be in charge of ensuring compliance with the Federal Law on Archeological, Artistic and Historic Monuments and Zones and with its Regulations inasmuch as they may be applicable to the works of Frida Kahlo Calderón.

**ARTICLE 3.-** Owners or possessors by any title of any works by Frida Kahlo Calderón shall have the following obligations as of the date in which this Decree enters into force:

- I.- To register said works in the Public Registry of Artistic Monuments and Zones of the National Institute of Fine Arts and Literature;
- II.- To notify the National Institute of Fine Arts and Literature:

- a) Of any change of ownership or possession of the works carried out. In case of translation of dominion operations, these must be made through public deed;
- b) Of any change in the location of the works, even if such change is only temporary.

**III.-** To notify the National Institute of Fine Arts and Literature of any alterations, changes or deterioration the works may suffer.

**ARTICLE 4.-** The owners or possessors of the works carried out by Frida Kahlo Calderón shall seek the authorization of the National Institute of Fine Arts and Literature before carrying out any restoration work thereon and, in every case, the works shall be carried out in accordance with the technical recommendations of the experts which the Institute may designate to that effect.

**ARTICLE 5.-** Any parties interested in reproducing by any means the works of Frida Kahlo Calderón shall require an authorization by the National Institute of Fine Arts and Literature. Whenever a reproduction is made for commercial purposes, the interested parties shall have to pay the fees provided by the applicable laws.

**ARTICLE 6.-** Exports of the works by artist Frida Kahlo Calderón is hereby prohibited. Exceptionally, the National Institute of Fine Arts and Literature may authorize the temporary export of these works if it were deemed convenient for the purpose of giving Mexican culture exposure abroad, provided the necessary guarantees exist that may ensure their return to the country.

**ARTICLE 7.-** The National Institute of Fine Arts and Literature shall try to secure, using all means at its disposal, the repatriation of all works by Frida Kahlo Calderón which may be in private collections abroad.

**ARTICLE 8.-** Violation of the provisions hereof shall be punished in the terms foreseen by all applicable laws.

#### **TRANSITORY**

**ARTICLE 1.-** This Decree shall enter into force the day after its publication in the Official Gazette of the Federation.

**ARTICLE 2.-** The aforementioned publication will be repeated eight days after its initial publication and this second publication will be construed as a personal notification to all private individuals owning or possessing the works referred to herein.

Given at the residence of the Federal Executive Power, in Mexico City, Federal District, on July the eleventh, nineteen eighty-four.- Miguel de la Madrid H..-  
Signature.- The Minister of Public Education, Jesús Reyes Heróles.- Signature.

DECREE declaring historical monuments all drawings and paintings, either national or private property, made by artist Gerardo Murillo Coronado (Doctor Atl) regardless of the procedure.

On the margin, a seal with the National Coat of Arms, which reads: United Mexican States.- Presidency of the Republic.

ADOLFO LOPEZ MATEOS, Constitutional President of the United Mexican States, to all Mexican citizens, let it be known:

That, while a law that especially protects the cultural patrimony of the country is issued and considering the exceptional merits of the paintings and drawings made by Mexican artist Gerardo Murillo Coronado (Doctor Atl) as per the opinion issued on the work of said artist by the Monuments Commission, a consultative agency of the Ministry of Public Education, based upon the provisions of article 89, section I of the Political Constitution of the Mexican Republic and articles 2, sections II and III, 13 section b), 14, 15, 17, 23, 25, 26 and 31 of the Law for the Protection and Conservation of Archaeological and Historical Monuments, Typical Towns and Places of Natural Beauty; articles 18, 23, 25, 27, 31, 32 and 37 of the regulations pertaining to said Law and upon article 834 of the Civil Code for the Federal District and Territories, I have deemed convenient to issue the following

### **DECREE**

**ARTICLE ONE.-** All drawings and paintings, either national or private property, made by artist Gerardo Murillo Coronado (Doctor Atl) regardless of the procedure are hereby declared historical monuments.

**ARTICLE TWO.-** The effects which the aforementioned declaration shall have are the following:

I.- The owner or possessor —regardless of circumstance— of one or more drawings or paintings by Gerardo Murillo Coronado (Doctor Atl) must notify the Ministry of Public Education, through the National Institute of Fine Arts and Literature, of any changes in the ownership or possession of the work, of any alienation of property and of any real property right that may encumber it, so that the Federal Government, if it deems it to be convenient, may exercise its right of preemption, rights to be exercised within thirty days after the above notification is received. In this same manner they are bound to notify the Institute of any changes in the place where the works may be kept, even if these changes are only of a temporary nature.

II.- Only through an authorization granted by the Ministry of Public Education may the owner or possessor of any works referred to in this Decree carry out any repairs or restoration work on same and for this reason he must notify any alterations, changes or deterioration observed in them.

III.- Reproduction of the works, when they are the property of the nation, may only be carried out with an authorization by the Ministry of Public Education. If such reproduction were for commercial purposes, the National Institute of Fine Arts and Literature shall determine the fees to be covered.

IV.- Export of drawings and paintings by Gerardo Murillo Coronado (Dr. Atl) are hereby prohibited. The Ministry of Public Education, in compliance with an opinion therefore issued by the Consulting Technical Committee of the National Institute of Fine Arts and Literature may exceptionally authorize the export of one or several of these works, for a limited amount of time, provided the necessary guarantees for insuring their re-entry to the country are given; it may also authorize the definitive export of said works whenever they are acquired by a prestigious museum or art gallery, for the purpose of their public exhibition in conditions deemed convenient to the cultural interest of Mexico. Unlawful or surreptitious export shall be considered contraband and shall be punished as per the provisions of applicable laws.

**ARTICLE 3.-** Any acts of noncompliance of the provisions of this Decree that are not criminal in nature shall be punished administratively, through assessment of a fine of between ten and one thousand pesos, according to the seriousness of the offense. The Ministry of Public Education, before assessing said fine, shall grant the alleged responsible party a term no greater than thirty days to hear his/her/its defense and receive any evidence he/she/it may wish to present. Once said term is elapsed, a resolution shall be issued.

### **TRANSITORY ARTICLES**

**FIRST.-** This Decree shall enter into force the day after its publication in the Official Gazette of the Federation.

**SECOND.-** Said publication shall be considered as notice to any owner or possessor of the works referred to in this Decree.

I hereby issue this Decree for its publication and due compliance at the residence of the Federal Executive Power, in Mexico City, Federal District, on the eighth day of the month of August, nineteen sixty-four.- Adolfo López Mateos.- Signature.- The Minister of Public Education, Jaime Torres Bodet.- Signature.