

## Contents

---

### **Editorial**

**Andrzej Jakubowski and Alicja Jagielska-Burduk** 9

---

### **Guest Editorial**

**Anne Laure Bandle, Alessandro Chechi, and Marc-André Renold**  
“National Treasures”: Limits on Private Property  
and Cross-Border Movements 12

---

### **Interviews**

**Professor Ignacio Tirado, Secretary-General UNIDROIT,  
talks to Alicja Jagielska-Burduk, Claudia S. Quiñones Vilá,  
and Paul Fabel**  
The Role of UNIDROIT in Global Efforts  
to Protect Cultural Heritage 17

**Mylène Bidault and Johanne Bouchard  
talk to Beatriz Barreiro Carril**  
The Meaning of Culture from a Human Rights Approach:  
The Mandate of the UN Special Rapporteur  
in the Field of Cultural Rights 25

---

### **General Articles**

**Gabriele Gagliani**  
Interpreting and Applying Article XX(f)  
of the GATT 1994: “National Treasures”  
in International Trade Law 35

**Sabrina Ferrazzi**  
EU National Treasures and the Quest for a Definition 57

**Anna Frankiewicz-Bodynek and Piotr Stec**  
Defining “National Treasures” in the European Union.  
Is the Sky Really the Limit? 77

**Robert Peters**  
Preventing Trafficking in Cultural Property:  
Import and Export Provisions as Two Sides  
of the Same Coin 95

## Contents

---

### **Charlotte Woodhead**

Tarnished Treasures:  
Provenance and the UK's Waverley Criteria 109

### **Eliana Romanelli**

Photographs as "Cultural Property" under Italian  
and European Union Law: A Complex Picture 135

### **Arianna Visconti**

The Reform of Italian Law on Cultural Property Export  
and Its Implications for the "Definitional Debate":  
Closing the Gap with the European Union Approach  
or Cosmetics? Some Systemic Considerations  
from a Criminal Law Perspective 159

---

## **Legal Commentaries**

### **Carine Simoes**

A Registry for Movable Cultural Property  
of Significant Importance to Switzerland:  
Limit to the Cross-Border Movement  
and Right of Ownership 187

### **Frances Wilson**

UK Export Controls and National Treasures 193

### **Mara Wantuch-Thole**

The New Regime of Protecting Cultural Objects  
of National Significance under the German Cultural  
Property Protection Act 2016 209

---

## **Varia**

### **Derek Gillman**

The Old Summer Palace and the Rhetoric  
of National Treasures 233

---

## **Debuts**

### **Musab Talha Günay**

Looking Humanity in the Eye and Seeing its Loss  
in the Eyes of the ICC: An Evaluation of Daesh's  
Destruction of Palmyra using the Gravity  
Assessment Made by the ICC Prosecutor  
in the *Al Mahdi* Case 245

---

## Events and Conferences

### **Żaneta Gwardzińska**

Two International Conferences  
on Private Rights and Cultural Property  
Gdańsk, 6-7 June 2019 267

### **Philipp A. Nuernberger**

International Art Market Studies Association (TIAMSA):  
Events by TIAMSA Legal  
Berlin, London, and New York, June-September 2019 271

### **Magdalena Marcinkowska**

43rd Session of World Heritage Committee  
Baku, 30 June-10 July 2019 274

### **Rangga Dachlan**

Intersessional Meeting of the International  
Law Association Committee on Participation  
in Global Cultural Heritage Governance  
Oxford, 2-3 July 2019 277

### **Aliki Gkana**

Interest Group on International Law of Culture  
at the 15th ESIL Annual Conference  
Athens, 12-14 September 2019 281

### **Katarzyna Dziewulska**

Biannual Conference of the Association  
of European Open Air Museums (AEOM)  
Opole, Gniezno, Biskupin, 26-30 August 2019 284

### **Shanchen Hu**

*From the Past to Present: Overview of the International  
Focus on the Frontier Issues of Cultural Heritage Law*  
International Symposium,  
Renmin University of China  
Beijing, 24-25 October 2019 287

### **Adelaide Duarte**

The 3rd Annual Conference of the International  
Art Market Studies Association (TIAMSA)  
Lisbon, 21-23 November 2019 291

## Contents

---

### **Hanna Schreiber**

- 14th Session of the Intergovernmental Committee  
for the Safeguarding of the Intangible Cultural Heritage  
Bogotá, 9-14 December 2019 293
- 

### **Notes on New Books**

#### **Editorial Notes**

- Landscape Protection in International Law*  
Amy Strecker 296

- The Challenges of World Heritage Recovery*  
Magdalena Marcinkowska  
and Katarzyna Zalasńska (eds.) 300

- International Heritage Law for Communities:  
Exclusion and Re-Imagination*  
Lucas Lixinski 302

- Cultural Diplomacy and the Heritage of Empire:  
Negotiating Post-Colonial Returns*  
Cynthia Scott 306
- 

#### **Katharine Booth**

- Law and Memory: Towards Legal Governance of History*  
Uladzislau Belavusau  
and Aleksandra Gliszczyńska-Grabias (eds.) 309

#### **Paola Monaco**

- Cultural Heritage in the European Union:  
A Critical Inquiry into Law and Policy*  
Andrzej Jakubowski, Kristin Hausler,  
and Francesca Fiorentini (eds.) 314
- 

### **Call for Papers**

- Call for Papers "Cultural Heritage and Technology" 318