

EVENTS AND CONFERENCES

Call for Papers

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The Directive 2014/60/EU and the Movement of Cultural Objects in the European Union

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Deadlines

Submission Deadline for Papers: April 30, 2016

Topic

By 18 December 2015, the EU Member States were obliged to incorporate the provisions of Directive 2014/60/EU on the return of cultural objects unlawfully removed from the territory of a Member State into their national legal systems. This new instrument recasts Directive 93/7/EEC and amends Regulation (EU) No. 1024/2012 on the Internal Market Information system (IMI) – an IT-based information network that links up national, regional and local authorities across borders. It is intended to further the approximation of laws under Article 114 TFEU and the mutual recognition of relevant national laws. In the first place, it extends the scope of the Directive to include cultural objects other than those classified or defined as national treasures, provided that they are in accord with the relevant provisions of Article 36 TFEU, as well as cultural objects unlawfully removed before 1 January 1993. Moreover, such objects do not have to belong to categories or comply with thresholds related to their age or financial value in order to qualify for return. Secondly, it increases cooperation between Member States through the use of the IMI system specifically customized for cultural objects. Thirdly, it extends the time-limit for determining whether an object found in another Member State is a cultural one and for bringing return proceedings. It also sets out criteria to determine a uniform concept of due care and attention in the acquisition of the cultural object, with burden placed on the possessor to provide proof of it for the purpose of compensation.

While the Directive 2014/60/EU significantly modifies the legal and technical measures for the protection of Member States' cultural heritage within the European Single Market, other current developments in EU legislation are intended to improve control over the movement of cultural objects through the external borders of the Union. Of particular interest are those related to controls over the import of archaeological materials from Syria: Regulation (EU) No. 1332/2013 of 13 December 2013 amending Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria, with further amendments; and the UNESCO-EU Emergency Safeguarding of the Syrian Heritage Project launched on 1 March 2014. Other initiatives concern, *inter alia*, proposals aimed at better consolidating the EU system for the return of cultural objects unlawfully removed from the territory of a Member State with that on the export of cultural goods outside the EU common customs area.

Considering these developments within the EU legislation and practice in relation to the circulation of cultural goods, *Santander Art and Culture Law Review* is pleased to invite contributions for its fourth issue, which covers the topic of the movement of cultural objects (export, import and return) in relation to the EU. Scholars, emerging young scholars, as well as practitioners are encouraged to contribute. Our interest is first of all in papers that explore the current status of the implementation of Directive 2014/60/EU in the respective national legal systems of the EU Member States. We are also interested in contributions which ana-

lyze the interlinkages between this new Directive, other relevant EU legislation, such as Regulation (EC) No. 116/2009, and international instruments, in particular the 1995 Unidroit Convention on Stolen or Illegally Exported Cultural Objects and the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Additionally, we welcome papers that address the issue of cross-border cooperation directed against illicit trafficking in cultural materials, both within the EU and with respect to other international organizations, private actors and NGOs. Furthermore, we invite conceptual papers that extend beyond the analysis of the EU legal framework for the movement of cultural objects, by offering original interpretations and proposals *de lege ferenda* concerning the prospects for and perspectives of the EU legislation and practice in the area of movable cultural heritage. Accordingly, we encourage submissions that focus on the following topics (please note that this list of topics is not exhaustive):

- Protection of national treasures in the EU Single Market;
- Implementation and perspectives on the functioning of Directive 2014/60/EU;
- Directive 2014/60/EU and Regulation (EC) No. 116/2009;
- Directive 2014/60/EU, the 1970 UNESCO and the 1995 Unidroit Conventions;
- Private international law aspects of the return of cultural objects in the EU;
- Import and export of cultural objects and the EU common customs area;
- The EU’s role in protecting and safeguarding cultural objects against war and terrorism (prevention, control and safe havens);
- Detection and prosecution of art crimes in the EU;
- Cooperation within the EU, including the exchange of information, digital services, and online databases;
- Cooperation between the EU, other international organizations, private actors and NGOs in matters related to the protection of movable cultural heritage.

Details concerning submissions: content, length, and due date

The deadline for submission of manuscripts is 30 April 2016. Decision letters will be provided to author(s) by 31 May 2016. We expect to publish the issue in autumn, 2016. More information is available at <www.artandculturelaw.ukw.edu.pl>.

Manuscripts should be submitted electronically by either using a storage device or via e-mail – saacr@ukw.edu.pl in .doc format, and shall not exceed 40,000 characters including spaces and footnotes. A longer article may be accepted only by specific arrangement with the Editors.

More information concerning guidelines for authors and editorial rules are available on the journal’s website.