Cultural Diversity Heritage And Human Rights Intersections In Theory And Practice Key Issues In Cultural Heritage

Bringing together key insights from expert legal and heritage academics and practitioners, this book explores the existence and safeguarding of contemporary forms of intangible cultural heritage (ICH). Providing a detailed analysis of the international legal frameworks relevant to ICH, the contributing authors then go on to challenge the pervasive view that heritage is about ‘old’ tangible objects by highlighting the existence, role and importance of contemporary forms of ICH to modern society.

A Companion to Heritage Studies is a comprehensive, state-of-the-art survey of the interdisciplinary study of cultural heritage. Outlines the key themes of research, including cultural preservation, environmental protection, world heritage and tourism, ethics, and human rights. Accessibly organized into a substantial framework-setting essay by the editors followed by three sections on expanding, using and abusing, and recasting heritage. Provides a cutting-edge guide to emerging trends in the field that is that is global in scope, cross-cultural in focus and critical in approach. Features contributions from an international array of scholars, including some with extensive experience in heritage practice through UNESCO World Heritage Centre, ICOMOS, and national heritage systems.

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This paper investigates issues around cultural diversity and globalisation, and cultural industries, the establishment of a cultural Observatory and the use of community arts centres. All of these areas of inquiry require an understanding of cultural heritage, the heritage sector and heritage policy. The Media, Advertising, publishing, printing and packaging sector also requires an audit of the heritage sector in order to develop a strategy for training in the sector, including learner ships.

The WROCLAU COMMENTS address legal questions as well as political consequences related to freedom of, and access to, the arts and (old/new) media; questions of religious and language rights; the protection of minorities and other vulnerable groups; safeguarding cultural diversity and heritage; and further pertinent issues. Specialists from all over Europe and the world summarise and comment on core messages of legal instruments, the essence of case-law as well as prevailing and important dissenting opinions in the literature, with the aim of providing a user-friendly tool for the daily needs of decision or law-makers at different juridical, administrative and political levels as well as other working in the field of cultural and human rights.

The book reflects on the issues concerning, on the one hand, the difficulty in feeding an ever-increasing world population and, on the other hand, the need to build new productive systems able to protect the planet from overexploitation. The concept of “food diversity” is a synthesis of diversities: biodiversity of ecological sources of food supply; socio-territorial diversity; and cultural diversity of food traditions. In keeping with this transdisciplinary perspective, the book collects a large number of contributions that examine, firstly the relationships between agrobiodiversity, rural sustainable systems and food diversity; and secondly, the issues concerning typiccality (food specialties/food identities), rural development and territorial communities. Lastly, it explores legal questions concerning the regulations aiming to protect both the food diversity and the right to food, in the light of the political, economic and social implications related to the problem of feeding the world population, while at the same time respecting local communities’ rights, especially in the developing countries. The book collects the works of legal scholars, agroecologists, historians and sociologists from around the globe.

This volume explains the legal effects of state succession on cultural property. It discusses to what extent the practice and the theory of state succession reflect the evolution of the idea of cultural heritage in international law. It attempts to reconstruct the principles regulating interstate arrangements, contextualising them within a broad historical and geographical framework.

Can states adopt protectionist cultural policies? What are the limits, if any, to state intervention in cultural matters? A wide variety of cultural policies may interfere with foreign investments, and a tension therefore exists between the cultural policies of the host state and investment treaty provisions. In some cases, foreign investors have claimed that cultural policies have negatively affected their investments, thereby amounting to a breach of the relevant investment treaty. This study maps the relevant investor-state arbitrations concerning cultural elements and shows that arbitrators have increasingly taken cultural concerns into consideration in deciding cases brought before them, eventually contributing to the coalescence of general principles of law demanding the protection of cultural heritage.

This book provides a comprehensive overview of the development of international cultural heritage law and policy since 1945. It sets out the international (including regional) law currently governing the protection and safeguarding of cultural heritage in peace time, as well as international cultural policy-making. In addition to analysing the relevant legal frameworks, it focuses on the broader policy and other contexts within which and in response to which this law has developed. Following this approach, attention is paid to: introducing international cultural heritage law and its place in international law generally; illicit excavation and the illegal trade in archaeological finds; protection of underwater cultural heritage; the relationship between cultural heritage and the environment; intangible aspects of heritage and their safeguarding; cultural heritage as traditional knowledge and creativity; regional approaches to protection; and human rights issues related to cultural heritage. In addition, newly-emerging topics and challenges are addressed, including the relationship between cultural heritage and sustainable development and the gender dynamics of cultural heritage. Providing both a perfect introduction to cultural heritage law and deeper reflection on its challenges, this book should be invaluable for students, scholars, and practitioners in the field.

In this textbook we see heritage in action in indigenous and vernacular communities, in urban development and regeneration schemes, in expressions of community, in acts of nostalgia and memorialization and counteracts of forgetting, in museums and other spaces of representation, in tourism, in the offices of those making public policy, and in the politics of identity and claims toward cultural property. Whether renowned or local, tangible or intangible, the entire heritage enterprise, at whatever scale, is by now inextricably embedded in “value”. The global context requires a sanguine approach to heritage in which the so-called critical stance is not just theorized in a rarefied sphere of scholarly lexical gymnastics, but practically engaged and seen to be doing things in the world.

Cultural Diversity, Heritage and Human Rights Intersections in Theory and Practice - Routledge

Wide-ranging essays on intangible cultural heritage, with a focus on its negotiation, its value, and how to protect it. The definition of “public archaeology” has expanded in recent years to include archaeologists’ collaborations with and within communities and activities in support of education, civic renewal, peacebuilding, and social justice. Barbara Little and Paul Shackel, long-term leaders in the growth of a civically-engaged, relevant archaeology, outline a future trajectory for the field in this concise, thoughtful volume. Drawing from the archaeological study of race and labor, among other examples, the authors explore this crucial opportunity and responsibility, then point the way for the discipline to contribute to the contemporary public good.

Basic Documents on Human Rights' provides a collection of key documents and covers all elements of the subject. It is an account of the most important instruments adopted by the UN, its agencies, regional organizations and other actors. This comprehensive and up-to-date synthesis of the legal issues around intangible cultural heritage (also known as traditional cultural expressions or folklore). It explores both institutional and substantive responses the law offers to the safeguarding of intangible heritage, relying heavily on critiques internal and external to the law. These external critiques primarily come from the disciplines of anthropology and heritage studies. Intangible cultural heritage is safeguarded on three different levels: international, regional, and national. At the international level, the foremost instrument is the specific UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003). At the regional level, initiatives are undertaken both in schemes of political and economic integration, a common thread being that intangible cultural
heritage helps promote a common identity for the region, becoming thus a desirable aspect of the integration process. Domestically, responses range from strong constitutional forms of protection to rather weak policy initiatives aimed primarily at attracting foreign aid. Intangible heritage can also be safeguarded via substantive law, and, in this respect, the book looks at the potential and pitfalls of human rights law, intellectual property tools, and contractual approaches. It investigates how the law works and ought to work towards protecting communities, defined as those from where intangible cultural heritage stems, and to whom benefits of its exploitation must return. The book takes the critiques from anthropological and heritage studies into account in order to posit a reshaped law, offering tools that can be valuable to both scholars and practitioners when understanding how to safeguard intangible heritage. This collection provides an in-depth and up-to-date examination of the concept of Intangible Cultural Heritage and the issues surrounding its value to society. Critically engaging with the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, the book also discusses local-level conceptualizations of living cultural traditions, practices and expressions, and reflects on the efforts that seek to safeguard them. Exploring a global range of case studies, the book considers the diverse perspectives currently involved with intangible cultural heritage and presents a rich picture of the geographic, socioeconomic and political contexts impacting research in this area. With contributions from established and emerging scholars, public servants, professionals, students and community members, this volume is also deeply enhanced by an interdisciplinary approach which draws on the theories and practices of heritage and museum studies, anthropology, folklore studies, ethnomusicology, and the study of cultural policy and related law. The Routledge Companion to Intangible Cultural Heritage undoubtedly broadens the international heritage discourse and is an invaluable learning tool for instructors, students and practitioners in the field.

Are human rights universal? The immediate response is “yes, of course.” However, that simple affirmation assumes agreement about definitions of the “human” as well as what a human is entitled to under law, bringing us quickly to concepts such as freedom, property, and the inalienability of both. The assumption that we all mean the same things by these terms carries much political import, especially given that different communities (national, ethnic, religious, gendered) enact some of the most basic categories of human experience (self, home, freedom, sovereignty) differently. But whereas legal definitions often seek to eliminate ambiguity in order to define and protect the rights of humanity, ambiguity is in fact inherently human, especially in performances of heritage where the rights to sense, to imagine, and to claim cultural identities that resist circumscription are at play. Cultural Heritage in Transit examines the intimacies of human rights in the realm of heritage production, focusing not only on the ephemeral culture of those who perform it but also on the ambiguities present in the idea of cultural property in general—who claims it? who may use it? who should not but does? In this volume, folklorists, ethnologists, and anthropologists analyze the practice and performance of culture in particular contexts— including Roma wedding music, Trinidadian wining, Moroccan verbal art, and Neopagan rituals—in order to draw apart the social, political, and aesthetic materialities of heritage production, including inequities and hierarchies that did not exist before. The authors collectively craft theoretical frameworks to make sense of the ways the rights of nations interact with the rights of individuals and communities when the public value of artistic creations is constituted through international law. Contributors: Valdimar Tr. Hafstein, Deborah Kapchan, Barbro Klein, Sabina Magliocco, Dorothy Noyes, Philip W. Scher, Carol Silverman.

Excerpt from the year 2017 in the subject Business economics - Miscellaneous, grade: -, ESCP Europe Business School - Campus Paris, course: Luxury, language: English, abstract: Over the past years, it has become obvious to several craftsmen (and non-craftsmen) that some specific crafts and know-hows have been disappearing, especially in various industries such as fashion, glove-making, shoe-making. These know-hows belong to the cultural heritage of nations, it is a part of their history, in the same way as a prestigious building or an object is. This is why, in response to the growing need for recognition of these know-hows, the General Conference of the United Nations Educational, Scientific and Cultural Organization (hereinafter referred to as UNESCO) decided to qualify properly these knowhows in order for them to be clearly defined and recognized as the part of a cultural heritage. This qualification allows these know-hows to have a place among all cultural heritages that need to be preserved and cherished. The Convention For The Safeguarding Of The Intangible Cultural Heritage (2003) is the result of the Conference which took place in Paris from 29 September to 17 October 2003 and defines “intangible cultural heritage” as “the practices, representations, expressions, knowledge, skills— as well as the instruments, objects, artefacts and cultural spaces associated therewith— that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. [Consideration is] given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development. This volume examines the implications and consequences of the idea of ‘intangible heritage’ to current international academic and policy debates about the meaning and nature of cultural heritage and the management processes developed to protect it. It provides an accessible account of the different ways in which intangible cultural heritage has been defined and managed in both national and international contexts, and aims to facilitate international debate about the meaning, nature and value of not only intangible cultural heritage, but heritage more generally. Intangible Heritage fills a significant gap in the heritage literature available and represents a significant cross section of ideas and practices associated with intangible cultural heritage. The authors brought together for this volume represent some of the key academics and practitioners working in the area, and discuss research and practices from a range of countries, including: Zimbabwe, Morocco, South Africa, Japan, Australia, United Kingdom, the Netherlands, USA, Brazil and Indonesia, and bring together a range of areas of expertise which include anthropology, law, heritage studies, archaeology, museum studies, folklore, architecture, Indigenous studies and history.

This volume explores the recent evolution of cultural heritage law which has resulted in the emergence of a new international conscience, rooted in the awareness that cultural heritage represents a holistic notion strongly connected with the identity of peoples. The idea of multi-culturalism has had a significant impact across many areas of law. This book explores how it has shaped the recent development of international human rights law. Custodians of human rights, especially international monitoring bodies, try to advance the effectiveness of human rights standards by interpreting these standards according to a method strongly inspired by the idea of cultural ‘relativism’. By using elements of cultural identity and cultural diversity as parameters for the interpretation, adjudication, and enforcement of such standards, human rights are evolving from the traditional ‘universal’ idea, to a ‘multi-cultural’ one, whereby rights are interpreted in a dynamic manner, which respond to the particular needs of the communities and individuals directly concerned. This book shows how this is epitomized by the rise of collective rights - which is intertwined with the evolution of the rights of minorities and...
indigenous peoples - in contrast with the traditional vision of human rights as inherently individual. It demonstrates how the process of 'culturalization' of human rights law can be shown through different methods: the most common being the recourse to the doctrine of the 'margin of appreciation' left to states in defining the content of human rights standards, extensively used by human rights bodies, such as the European Court of Human Rights. Secondly, different meanings can be attributed to the same human rights standards by adapting them to the cultural needs of the persons and - especially - communities specifically concerned. This method is particularly used by the Inter-American Court of Human Rights and the African Commission of Human and Peoples' Rights. The book concludes that the evolution of human rights law towards multi-cultural 'relativism' is not only maximizes the effectiveness of human rights standards, but is also necessary to improve the quality of communal life, and to promote the stability of inter-cultural relationships. However, to an extent, notions of 'universalism' remain necessary to defend the very idea of human dignity.

This book covers intangible cultural heritage (ICH) governance through an Asia-Pacific context, making reference to the historical development of the international instruments guiding ICH policy. With a review of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage's development, this work provides an understanding into why the Convention is the way it is, how it is developing, and how to apply it in different situations. Furthermore, dedicating sections to explain good governance and the manner through which the 2003 Convention hopes to influence good governance in the ICH field, the book will help readers to understand the major issues and barriers to good governance in this field. In addition, the case studies integrated in this volume provide tools and context with which to analyze ICH and ICH governance. Overall, the central questions answered in this work are 'What is governance in terms of ICH safeguarding?' and 'How do interactions between global and local governance develop?' The included experimental strategies for enhancing ICH safeguarding governance offer a glimpse into what may be possible. As the 2003 Convention is still relatively young, there is a need for in-depth research that covers the core governance issues that have arisen over the past decade. This book, being unique in its direct focus on ICH governance, will help fill this information gap and give readers a concise reference point for such issues.

This volume offers a critical inquiry into the ever-evolving notion of cultural heritage and the way it has been made accessible, governed, and protected by the institutional, operational, and legal structures of the European Union. In Making Intangible Heritage, Valdimar Tr. Hafstein—folklorist and official delegate to UNESCO—tells the story of UNESCO's Intangible Heritage Convention. In the ethnographic tradition, Hafstein peers underneath the official account, revealing the context important for understanding UNESCO as an organization, the concept of intangible heritage, and the global impact of both. Looking beyond official narratives of compromise and solidarity, this book invites readers to witness the diplomatic jostling behind the curtains, the making and breaking of alliances, and the confrontation and resistance, all of which marked the path towards agreement and shaped the convention and the concept. Various stories circulate within UNESCO about the origins of intangible heritage. Bringing the sensibilities of a folklorist to these narratives, Hafstein explores how they help imagine coherence, conjure up contrast, and provide charters for action in the United Nations and on the ground. Examining the international organization of UNESCO through an ethnographic lens, Hafstein demonstrates how concepts that are central to the discipline of folklore gain force and traction outside of the academic field and go to work in the world, ultimately shaping people's understanding of their own practices and the practices themselves. From the cultural space of the Jemaa el-Fna marketplace in Marrakech to the Ise Shrine in Japan, Making Intangible Heritage considers both the positive and the troubling outcomes of safeguarding intangible heritage, the lists it brings into being, the festivals it animates, the communities it summons into existence, and the way it orchestrates difference in modern societies.

Natural resources and their effective management are necessary for securing the realisation of human rights. The management of natural resources is linked to broad issues of economic development, as well as to political stability, peace and security, but it is also intimately connected to the political, economic, social and cultural rights of individuals and communities relying on these resources. The management of natural resources often leads to ill-planned development, misappropriation of land, corruption, bad governance, misaligned budget priorities, lack of strong institutional reforms and weak policies coupled with a continued denial of the human rights of local communities. This book argues that human rights law can play an important role in ensuring a more effective and sustainable management of natural resources, putting forward the idea of a human rights-based normative framework for natural resource management. It offers a comprehensive analysis of the different norms, procedures, and approaches developed under human rights law that are relevant to the management of natural resources. Advocating for a less market and corporate approach to the control, ownership, and management of natural resources, this book supports the development of holistic and coherent integration of human rights law in the overall international legal framework governing the management of natural resources.

Cultural heritage law and its response to human rights principles and practice has gained renewed prominence on the international agenda. The recent conflicts in Syria and Mali, China's use of shipwreck sites and underwater cultural heritage to make territorial claims, and the cultural identities of nations post-conflict highlight this field as an emerging global focus. In addition, it has become a forum for the configuration and contestation of cultural heritage, rights and the broader politics of international law. The manifestation of tensions between heritage and human rights are explored in this volume, in particular in relation to heritage and rights in collaboration and in conflict, and heritage as a tool for rights advocacy. This volume also explores these issues from a distinctively legal standpoint, considering the extent to which the legal tools of international human rights laws facilitate or hinder heritage protection. Covering a range of issues across Africa, Asia, Europe, Latin America and Australia, this volume will be of interest to people working in human rights, heritage studies, cultural heritage management and identity politics around the world. This book fills an important gap in
the literature on heritage and rights and, in particular, human rights law. With articles from leading experts addressing the legal human rights dimensions of cultural heritage protection, it makes a significant contribution to debates over issues such as 'Why should we safeguard heritage and for whom?' and 'What is the relationship between heritage safeguarding and protecting human rights?'. These are deep questions of profound significance to individuals, communities and even nations around the world and are of increasing urgency today. It critically analyses the relationship between heritage and human rights that can be potentially pernicious as well as mutually reinforcing, placing this analysis within the wider context and with a broad geographical scope with examinations of the heritage/rights relationship in Southeast Asia (Cambodia), China and sub-Saharan Africa.' Dr Janet Blake, Associate Professor in Law, Shahid Beheshti University, Tehran 'Traversing the destruction of mausoleums in Timbuktu to war crimes trial by the International Criminal Court, Heritage, Culture and Rights explores the crucial links between human rights and the protection of cultural heritage. The essays are accessible to all viewing the destruction of cultural heritage as a breach of human dignity and identity. Unputdownable.' Professor Gillian Triggs, President of the Australian Human Rights Commission 'This collection of essays by leading scholars, though primarily Australian in origin, is universal in orientation. Ranging from a broad survey of the applicable laws of armed conflict to a detailed consideration of urban design in Southeast Asia, the essays offer significant insights into the relationship between the protection and use of cultural heritage, on one hand, and fundamental human rights, on the other. Ultimately, the mutual reinforcement of the two disciplines of law prevails over carefully-acknowledged tensions between them. Readers at all levels of expertise will find the book of great interest.' Professor James Nafziger, Thomas B Stoeel Professor of Law and Director of International Programs at the Willamette University College of Law 'What is the relationship between culture and human rights? Can the idea of cultural rights, which are predicated on the distinctiveness and exclusivity of a community's beliefs and traditions, be compatible with the concept of human rights, which are universal and a non-inherent to all human beings? If we accept such compatibility, what is the actual content of cultural rights? Who are their beneficiaries: individuals, or peoples or groups as collective entities? And what precise obligations do cultural rights pose upon states or other actors in international law, or for the international community as a whole? International instruments on the protection of human rights do not provide self-evident answers to these questions. This book seeks to analyse these dilemmas and to assess the impact that they are having on international law and the development of a coherent category of cultural human rights.

"In the first major work to analyse this critical issue, Barthel-Bouchier argues that commitments to sustainability arose both from direct environmental threats and from contradictions inherent in new partnerships with international tourism and development." -- Back cover. This book attempts to reconcile the concept of free trade with a non-trade liberal value - cultural diversity - in an era of economic globalisation. It first shows how we can look at culture in many different ways, and explains why we should care about cultural diversity. The book then examines the challenges that policymakers are faced with in formulating cultural measures in the new media environment, and analyses UNESCO's theories and approaches to cultural diversity. This is followed by a comprehensive examination of the treatment of 'culture' in global and regional trade agreements, including the framework of the GATT/WTO system, the WTO's judicial practice involving cultural products, and the treatment of culture under the EC/EU and NAFTA. This identifies the challenges trade norms encounter in dealing with cultural products. The author seeks to formulate a balanced view of the challenge of protecting and promoting cultural diversity while also recognising the important goal of trade liberalisation. To this end Professor Shi proposes a dual method through which the norms found in WTO agreements and in UNESCO cultural instruments may be brought into alignment: the first highlighting the compatibility of cultural policy measures with trade obligations on a domestic level, the second suggesting potential linkages between the WTO rules and the UNESCO Convention from the perspectives of treaty interpretation. The intersections between culture and human rights have engaged some of the most heated and controversial debates across international law and theory. To what extent should the law permit cultural defences to general rules? What role does human rights law have in the protection of minority cultures? This volume examines such pivotal questions. The World Heritage community is currently adopting policies to mainstream human rights as part of a wider sustainability agenda. This interdisciplinary book combines a state of the art review of World Heritage policy and practice at the global level with ethnographic case studies from the Asia-Pacific region by leading scholars in the field. By joining legal reviews, anthropology and practitioner experience through in-depth case studies, it shows the diversity of human rights issues in both natural and cultural heritage sites. From site-designation to their conservation and management, the book explores the various rights issues and analyses the diverse social, cultural and legal challenges and responses at both regional and global level. Detailed case studies are included from Australia, Cambodia, China, Malaysia, Myanmar, Nepal, the Philippines and Vietnam. The book will appeal to both natural and cultural heritage professionals and human rights and heritage scholars, and will serve as a useful compendium for courses use allowing students to compare, contrast and contextualize different contexts. Migrant, Multicultural and Diasporic Heritage explores the role heritage has played in representing, contesting and negotiating the history and politics of ethnic, migrant, multicultural, diasporic or 'other' heritages in, within, between and beyond nations and national boundaries. Containing contributions from academics and professionals working across a range of fields, this volume contends that, in the face of various global 'crises', the role of heritage is especially important: it is a stage for the negotiation of shifting identities and for the rewriting of traditions and historical narratives of belonging and becoming. As a whole, the book connects and further develops methodological and theoretical discourses that can fuel and inform practice and social outcomes. It also examines the unique opportunities, challenges and limitations that various actors encounter in their efforts to preserve, identify, assess, manage, interpret and promote heritage pertaining to the experience and history of migration and migrant groups. Bringing together diverse case studies of migration and migrants in cultural heritage practice, Migrant, Multicultural and Diasporic Heritage is of great interest to academics and students engaged in the study of heritage and museums, as well as those working in the fields of memory studies, public history, anthropology, archaeology, tourism and cultural studies. Comparative Literature: Sharing Knowledges for Preserving Cultural Diversity theme is a component of Encyclopedia of Social Sciences and Humanities in the global Encyclopedia of Life Support Systems (EOLSS), which is an integrated compendium of twenty one Encyclopedias. The Theme on Comparative Literature: Sharing Knowledges for Preserving Cultural Diversity provides six different topics: 1. Language, literature and human sustainability; 2. Relationships among literature and other artistic activities and discourses ; 3. Comparative literature and other fields of knowledge; 4. Comparative literature, criticism and media ; 5. Comparative literature in the age of global change; 6. Translito studii and cross-cultural movements or Weltverkehr. These three volumes are aimed at a wide spectrum of audiences: University
and College Students. Educators and Research Personnel.

In recent years there has been a considerable interest in the cultural aspects of tourism such as the impacts of culture on tourism planning, development, management, and marketing. However, the focus has been on material forms of culture such as arts, music, or crafts. The impacts of national culture on tourist behavior and travel decision-making have not been paid much attention. Only in the last two years have cross-cultural issues begun to generate significant interest among academics. An examination of cultural characteristics and differences is extremely important to the tourism industry because today's tourism environment is becoming increasingly international. Information on the nature of the cultural differences between international tourists and locals is not readily available in tourism literature. The concept of culture is very complex and includes such abstract concepts as satisfaction, attitude and loyalty. International Tourism brings these concepts to the undergraduate student in tourism, as well as students in the related fields of marketing, management, international business, and cross-cultural communication. Designed as a textbook, it is organized and presented in an integrated and relevant way for the benefit of a worldwide audience.

Is there a universal right to the free expression and preservation of cultural heritage, and if so, where is that right articulated and how can it be protected? No corner of today's world has escaped the effects of globalization — for better or worse. This volume addresses a deeply political aspect of heritage preservation and management as it relates to human rights.

This report analyses all aspects of cultural diversity, which has emerged as a key concern of the international community in recent decades, and maps out new approaches to monitoring and shaping the changes that are taking place. It highlights, in particular, the interrelated challenges of cultural diversity and intercultural dialogue and the way in which strong homogenizing forces are matched by persistent diversifying trends. The report proposes a series of ten policy-oriented recommendations, to the attention of States, intergovernmental and non-governmental organizations, international and regional bodies, national institutions and the private sector on how to invest in cultural diversity. Emphasizing the importance of cultural diversity in different areas (languages, education, communication and new media development, and creativity and the marketplace) based on data and examples collected from around the world, the report is also intended for the general public. It proposes a coherent vision of cultural diversity and clarifies how, far from being a threat, it can become beneficial to the action of the international community.

Going beyond the more usual focus on Jerusalem as a sacred place, this book presents legal perspectives on the most important sacred places of the Mediterranean. The first part of the book discusses the notion of sacred places in anthropological, sociological and legal studies and provides an overview of existing legal approaches to the protection of sacred places in order to develop and define a new legal framework. The second part introduces the meaning of sacred places in Jewish, Christian and Islamic thought and focuses on the significance and role that sacred places have in the three major monotheistic religions and how best to preserve their religious nature whilst designing a new international statute. The final part of the book is a detailed analysis of the legal status of key sacred places and holy cities in the Mediterranean area and identifies a set of legal principles to support a general framework within which specific legal measures can be implemented. The book concludes with a useful appendix for the protection of sacred places in the Mediterranean region. Including contributions from leading law and religion scholars, this interesting book will be valuable to those in the fields of international law, as well as religion and heritage studies.

The publication is the first in a new series on existing and innovative paradigms in Heritage Studies. The series aims at systematising and developing the academic discourse on heritage, which has yielded a wealth and breadth of contributions over the past few years. The publication offers its own emphasis by developing heritage studies with a perspective towards and as a contribution to human development. It thus offers a vision for the construction and establishment of a new discipline. The academic mainsprings and research interests of this repositioning of heritage studies as an academic discipline are discussed by internationally renowned thinkers and heritage practitioners. The publication thus establishes first important points for discussion. Central to this publication are questions concerning the sustainable protection and use of heritage, focussing on the world cultural heritage and intangible cultural heritage, but equally questions on the relation of heritage and memory and how these could mutually enrich our understanding of heritage.

Examines the social, cultural and ethical dimensions of heritage research and practice, and the underlying international politics of protecting cultural and natural resources around the globe. Focuses on ethnographic and embedded perspectives, as well as a commitment to ethical engagement. It offers a broad audience, from archaeologists to heritage professionals, museum curators to the general public. The contributors comprise an outstanding team, representing some of the most prominent scholars in this broad field, with a combination of senior and emerging scholars, and an emphasis on international contributions.

Cultural genocide is the systematic destruction of traditions, values, language, and other elements that make one group of people distinct from another. Cultural genocide remains a recurrent topic, appearing not only in the form of wide-ranging claims about the commission of cultural genocide in diverse contexts but also in the legal sphere, as exemplified by the discussions before the International Criminal Tribunal for the Former Yugoslavia and also the drafting of the UN Declaration on the Rights of Indigenous Peoples. These discussions have, however, displayed the lack of a uniform understanding of the concept of cultural genocide and thus of the role that international law is expected to fulfil in this regard. The Concept of Cultural Genocide: An International Law Perspective details how international law has approached the core idea underlying the concept of cultural genocide and how this framework can be strengthened and fostered. It traces developments from the early conceptualisation of cultural genocide to the contemporary question of its reparation. Through this journey, the book discusses the evolution of various branches of international law in relation to both cultural protection and cultural destruction in light of a number of legal cases in which either the concept of cultural genocide or the idea of cultural destruction has been discussed. Such cases include the destruction of cultural and religious heritage in Bosnia and Herzegovina, the forced removals of Aboriginal children in Australia and Canada, and the case law of the Inter-American Court of Human Rights in relation to Indigenous and tribal groups' cultural destruction.

This book focuses on the balance between protecting human rights and protecting world heritage sites. It concerns itself with the idea that the management of heritage properties worldwide may fail to adequately respect traditional entitlements and rights of individuals and communities living within or being affected by changes in the use of these spaces. It also explores the concept that the international heritage field has limited knowledge and awareness of this challenge. The volume argues that the dilemmas in question result from different conceptualisations of the key terms of 'rights', 'heritage' and 'community' among different groups and across political and cultural boundaries. In so far as 'culture' is what enables us to read the meanings involved, the ultimate questions are those that ask whose power is contested when one meaning is 'fixed' and the heritage of one group of humans is given the right to have its symbolic representation enjoyed and protected. The included case studies give vivid examples of this. This book was originally published as a special issue of the International Journal of Heritage Studies.