

LAWS70356 Cultural Heritage, Trade and Development

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: September, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Corequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Recommended Background Knowledge:	Visit the Melbourne Law Masters website for more information about this subject.
Non Allowed Subjects:	Visit the Melbourne Law Masters website for more information about this subject.
Core Participation Requirements:	Visit the Melbourne Law Masters website for more information about this subject.
Contact:	For more information, contact the Melbourne Law Masters office. Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190. Alternatively, visit our website: www.masters.law.unimelb.edu.au (http://www.masters.law.unimelb.edu.au/)
Subject Overview:	Principal topics will include: <ul style="list-style-type: none"> # Defining cultural heritage: Historical emergence of 'cultural heritage' as a legal concept # Culture, colonialism and claims for cultural restitution in the post-colonial context # Protection of cultural heritage under international legal instruments: Universal Declaration of Human Rights; Covenant on Civil and Political Rights; Covenant on Economic, Social and Cultural Rights; United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Convention; UNESCO Convention for the Safeguarding of Intangible Cultural Heritage, UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, UNESCO Convention on the Illicit Movement of Art Treasures, UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict; Unidroit Convention on Stolen or Illegally Exported Cultural Products # Role of UNESCO in establishing an international cultural regime # International trade in cultural goods and services: Role of the World Trade Organization (WTO) Agreements, relationship between WTO and UNESCO Agreements # Comparative assessment of impact of North-South issues in the WTO and UNESCO regimes, respectively # Return/restitution of cultural objects: Claims for restitution by former colonies; claims for restitution by indigenous groups; role of museums and museum policy # Cultural heritage and intellectual property law: Relationship between intellectual property, cultural property and cultural rights; the protection of traditional cultural expressions and traditional cultural knowledge, relationship between intellectual property, cultural rights and development # Sui generis regimes: Initiatives of the World Intellectual Property Organization (WIPO), comparative assessment of 'development' agenda of WIPO and UNESCO, national models for the protection of the rights of indigenous peoples.
Objectives:	A student who has successfully completed this subject should have an understanding of: <ul style="list-style-type: none"> # Foundational principles and key international legal sources relating to the protection of cultural heritage # The relationship between the international trade regime and the protection of cultural heritage

	<ul style="list-style-type: none"># The interaction between concepts of culture, cultural heritage and intellectual property law# Theoretical debates in relation to the connection between personhood, property, cultural heritage and development
Assessment:	Visit the Melbourne Law Masters website for more information about this subject.
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees