

HEURIGHT

The Right to Cultural Heritage

Its Protection and Enforcement through Cooperation in the European Union

Public Seminar: *Cultural Heritage, Cultural Rights & the European Union*

13 March 2018 (Tuesday)

Institute of Law Studies of the Polish Academy of Sciences

Staszic Palace

72 Nowy Świat, Warsaw (Poland)

Staszic Hall, First Floor

PROGRAMME

08:45am-09:10am

- *Registration*, Staszic Palace, First Floor

09:10am-09:25am

- *Welcome addresses*

Andrzej Jakubowski (Leader of the Project HEURIGHT, Institute of Law Studies of the Polish Academy of Sciences)

Mateusz Bieczyński (Vice-Rector of the University of Fine Arts in Poznań, Leader of the HEURIGHT international consortium)

First Session – *Joint Heritage European Programme, HERITAGE PLUS & the Project HEURIGHT*

Chair: Andrzej Jakubowski

09:25am-09:45am

- *Joint Programming Initiative on Cultural Heritage and Global Change: Objectives, Agenda and Programmes: the Polish Perspective*
Aneta Budzałek (National Institute for Museums and Public Collections)

09:45am-09:55am

- *Institutionalising and Integrating Cultural Heritage in the EU Law and Policy*

Andrzej Jakubowski (Leader of the Project HEURIGHT, Institute of Law Studies of the Polish Academy of Sciences)

09:55am-10:10am

- *Cultural Heritage in the EU's External Action: More than a Policy Goal?*

Kristin Hausler (Dorset Senior Research Fellow in Public International Law, British Institute of International and Comparative Law, Leader of the British team of the Project HEURIGHT)

10:10am-10:25am

- *Cultural Heritage in the EU's Common Commercial Policy*

Francesca Fiorentini (Associate Professor of Comparative Law at the University of Trieste, Department of Legal, Language, Interpreting and Translation Studies, Leader of the Italian team of the Project HEURIGHT)

10:25am-10:35am

- *The Cooperation between the Santander Art and Culture Law Review and the Project HEURIGHT*

Alicja Jagielska-Burduk (UNESCO Chair in Cultural Property Law, University of Opole, Editor-in-Chief of the *Santander Art and Culture Law Review* – partner to the Project HEURIGHT)

10:35am-10:45am

- *Main Deliverables and Achievements of the Project HEURIGHT*

Andrzej Jakubowski

10:45am-11:10

- *Coffee break*



**Second Session - *Cultural Heritage, Cultural Rights
& the European Union: New Frontiers***

Chair: Francesca Fiorentini

- 11:10am-11:25am - *Cultural Heritage and Indicators*
Paola Monaco (Post-doctoral Fellow at the University of Trieste, Department of Legal, Language, Interpreting and Translation Studies)
- 11:25am-11:40am - *The EU and Intangible heritage: Innocent Flirt, Hot Love Affair or an Old, Good Marriage?*
Hanna Schreiber (Assistant Professor at the Institute of International Relations of the University of Warsaw)
- 11:40am-11:55am - *Europeana: Digitisation and the Construction of a European Heritage Canon*
Ewa Manikowska (Associate Professor at the Institute of Art of the Polish Academy of Sciences)
- 11:55am-12:10am - *Cultural Heritage in the UK: Brexit as a Game-Changer?*
Kristin Hausler (Dorset Senior Research Fellow in Public International Law, British Institute of International and Comparative Law, Leader of the British team of the Project HEURIGHT)
- 12:10am-12:30 - *Questions and discussion*
- 12:30-14:00 - *Lunch*
- 14:00 - The end of the Public Seminar

ORGANIZERS:



The Project HEURIGHT – *The Right to Cultural Heritage: Its Protection and Enforcement through Cooperation in the European Union* investigates how human rights guarantees in relation to cultural heritage are being understood and implemented in the European Union (EU) and in its neighbouring countries. It focuses on Poland, the United Kingdom and Italy - countries representing different cultural, political and legal traditions - and their relations with other states and non-state cultural communities. Acknowledging the changing nature of the right to cultural heritage, the project will map how this right's evolving content affects the forms of protection, access to and governance of cultural heritage. The added value of the project consists in combining an analysis of the relevant laws, their implementation and enforcement. First, it provides a theoretical re-conceptualization of the right to cultural heritage, focusing not only on positive law and jurisprudence, but also on soft-law rules, diplomacy and cultural cooperation as possible alternative devices for fostering inter-cultural dialogue and understanding. Secondly, in its practical perspective, the project analyses how the technical tools used to manage and protect cultural heritage, in particular digitization processes with the development of databases, virtual museums, etc., are currently considered and how they could be further developed to strengthen the enforcement of the right to cultural heritage throughout the EU, including its external action. Thus, the project endeavours to contribute to the development of sustainable strategies for protecting and managing cultural heritage as a means to foster international and inter-cultural dialogue within the European region. Its outcomes are twofold: i) a path breaking contribution to an interdisciplinary scholarship in this area, disseminated through various publications (articles, reports, workshops and a monograph); ii) the elaboration of recommendations and guidelines –openly accessible via a new online platform – concerning best practices on the use of cultural heritage for the benefit of states and communities which all have an intrinsic interest in its protection and enjoyment.

This three-year project (August 2015 - May 2018) is co-financed by the European Union within the programme HERITAGE PLUS, an Era-Net plus action which supports the Coordination Action in support to the Joint Programming Initiative (JPI) on *Cultural Heritage and Global Change: a new challenge for Europe*.

<http://www.jpi-culturalheritage.eu/ec-projects/heritage-plus>



The HEURIGHT Research Team is composed of three groups:

1. The first research group (Poland) chaired by Dr Andrzej Jakubowski as the Principal Investigator (PI) and the HEURIGHT Project Leader (PL), an Assistant Professor at the Institute of Law of the Polish Academy of Sciences, involves the participation of three different institutions forming a consortium. These comprise the University of Fine Arts in Poznan (an institutional leader of the consortium) and two research centres of the Polish Academy of Sciences in Warsaw: the Institute of Law Studies and the Institute of Art.

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POLSKA AKADEMIA NAUK
INSTYTUT SZTUKI

Ministry of
Culture
and National
Heritage.



<http://nimoz.pl/en/international-cooperation/heritage-plus>

2. The second research team (UK) is chaired by Kristin Hausler as Principal Investigator (PI), Dorset Senior Research Fellow in Public International Law at the British Institute of International and Comparative Law (BIICL) in London, United Kingdom.

<http://www.biicl.org/culturalheritage>



British Institute of
International and
Comparative Law



Arts & Humanities
Research Council

3. The third research team (Italy) is chaired by Prof. Dr. Francesca Fiorentini as Principal Investigator (PI) working at the Department of Legal Science, Language, Interpreting and Translation Studies of the University of Trieste.



Ministero
dei beni e delle
attività culturali
e del turismo

<http://www2.units.it/heuright>

PARTNERS:



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The ***Santander Art and Culture Law Review*** (SAACL) is a bi-annual journal, published since 2015 as a part of the project: *Creating and Managing an Interdisciplinary Legal Journal Dealing with Culture-Related Issues*, an individual grant of the Santander Group within the Programme Santander Universidades. It is hosted at the University of Opole. The main objective of this project is to disseminate innovative research relating to current problems arising from the intersection of law, culture and cultural heritage. The SAACL is addressed to scholars, practitioners, non-governmental organizations, public authorities and policy makers dealing with legislative approaches to the protection and management of cultural heritage. The journal is also aimed at students within a broad range of disciplines which encompass or touch upon the vast number of issues referring to art, cultural heritage and law. Each odd-numbered issue of SAACL is published in Polish and each even-numbered issue is issued in English. The contributions published in the Polish issues also include the summary and keywords in English. Each issue is divided into eight sections: interviews, research articles, commentaries, varia, debuts, cultural heritage law and policy, events and conferences, and book reviews.

The first English issue of the SAACL (2015(2)) was dedicated to the leading theme: the role of international law in the protection of cultural heritage in the event of armed conflicts and terrorism.

Instead, the second English issue (2016(2)) was entirely devoted to the topic of the implementation and operationalisation of the Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012 and the movement of cultural objects in the European Union. It has been prepared in cooperation with the research consortium of the Project HEURIGHT.

The forthcoming English issue of the SAACL (2017(2)) is dedicated to the leading theme: 'Intangible Cultural Heritage – Successes, Problems and Challenges Ten Years After the Entry into Force of the UNESCO 2003 Convention'. Also this issue has been prepared in prepared in cooperation with the research consortium of the Project HEURIGHT.

The SAACL is indexed at ERIHPLUS.

<http://www.ejournals.eu/SAACL>