

Cultural Property

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Introduction

Cultural property, also referred to as tangible cultural heritage, includes movable or immovable property of cultural significance. It encompasses more than the visual arts as it extends to architecture, monuments, and archaeological artifacts, which may lack aesthetic appeal but provide valuable insights into ancient civilizations. For centuries such objects have been removed from their cultural context to foreign locations by thieves, collectors, and conquering armies. Individual countries and the international community have sought to protect cultural property and regulate its movement across borders through domestic laws and international conventions. This guide is intended to assist researchers in accessing primary and secondary cultural property law materials in the Law Library's collections, as well as related materials on provenance, ethics, and museum management and practice in all of University of Iowa Library collections. This is a selective listing of the available resources so researchers should consult [InfoHawk](#) (the UI Libraries online catalog), indexes, and the Law Library's Reference staff as necessary to continue their research. Please note that the Art Library is currently closed; see <http://www.lib.uiowa.edu/art/getartmaterials.html> for instructions on how to request Art materials for delivery.

Bibliographies

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Martin, Daniel. "Art Law: A Selected Bibliography." In *Art, Artifact & Architecture Law*. Eagan, Minn.: Thomson West, 2006. Law Library KF4288 .D371

Nafziger, James A. R. "Protection of Cultural Property and Archaeological Resources: A Comprehensive Bibliography of Law-Related Materials." *Case Western Reserve Journal of International Law* 22, no. 1 (1990): 117. Law Library JX1 .C37

Tsang, Louise. *Legal Protection of Cultural Property: A Selective Resource Guide*. LLRX.com, 2007. <http://www.llrx.com/features/culturalproperty.htm>

Journals

Art and Museum Law Journal. Law Library K1 .R568

Art Antiquity and Law. Law Library K1 .R73

Cardozo Arts & Entertainment Law Journal. Law Library K3 .A687

Columbia Journal of Law & the Arts. Law Library K1 .R7

IFAR Journal. Art Library – no call number

International Journal of Cultural Property. Law Library JX1 .I5432

Journal of Art & Entertainment Law. Law Library K10 .O755

Journal of Arts Management, Law, and Society. Law Library K10 .O756

Law, Culture and the Humanities. Law Library K12 .A93143

Media and Arts Law Review. Law Library K13 .E23

Yale Journal of Law & the Humanities. Law Library K29 .A4

Journals in the areas of international, comparative, and maritime law may also contain relevant

information. Please see the Indexes section below for assistance in identifying articles.

Newsletters

ARTnews. Art Oversize – no call number

Art Newspaper. Art Restricted – ask staff for assistance; no call number

Culture Without Context: Newsletter of the Illicit Antiquities Research Centre.

<http://www.mcdonald.cam.ac.uk/projects/iarc/culturewithoutcontext/contents.htm>

(last issued autumn 2006)

Spoils of War International Newsletter. <http://spoils.libfl.ru/spoils/> (last issued autumn 1998)

Indexes and Electronic Journal Collections

To locate specific art or law journal articles that relate to your topic, try searching in the following electronic indexes or journal collections. Journal collections provide full text electronic access to the article while indexes provide citation information you can use to locate a full text source of the article through InfoHawk, the online catalog. See a Reference Librarian for assistance.

[Art Full Text](#) (UI access only)

[Art Retrospective](#) (UI access only)

[Avery Index to Architectural Periodicals](#) (UI access only)

[Bibliography of the History of Art](#) (UI access only)

[HeinOnline](#) (UI access only)

[Index to Legal Periodicals](#) (UI Law access only)

[Index to 19th-Century American Art Periodicals](#) (UI access only)

[LegalTrac](#) (UI Law access only)

Treatises and Monographs

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- Cuno, James. *Who Owns Antiquity? Museums and the Battle Over Our Ancient Heritage*. Princeton, N.J.: Princeton University Press, 2008. Law Library CC135 .C86 2008
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Web Resources

Art Loss Register <http://www.artloss.com/>

In 1976, the International Foundation for Art Research began compiling an art theft archive. The Art Loss Register builds upon IFAR's work and is the world's largest private database of lost and stolen art, antiques and collectables.

Art Theft Program (FBI) <http://www.fbi.gov/hq/cid/arttheft/arttheft.htm>

The FBI has a special team of 12 agents dedicated to investigating art and cultural property crimes and recovering stolen art and antiquities. Through this website you can access the National Stolen Art File, a computerized index of reported stolen art and cultural property.

Central Registry of Information on Looted Cultural Property 1933-1945

<http://www.lootedart.com/>

Contains a database with laws, policies, records, and other documentation from nearly 50 countries, and an object database containing details about objects from 15 countries.

Documentation Project: Project for the Documentation of Wartime Cultural Losses

<http://docproj.loyola.edu/>

Gathers and publishes information relating to works of art, archives, and other types of cultural property displaced as a consequence of war, primarily focusing on WWII. The project is administered by the non-profit foundation Cultural Property Research Foundation, Inc.

Holocaust Era Assets (US National Archives and Records Administration)

<http://www.archives.gov/research/holocaust/>

NARA has published a finding aid for records relating to the looting, locating, recovery and restitution of Holocaust-Era assets. They are also working with art provenance researchers to identify and microfilm key series of records.

International Cultural Property Protection (U.S. State Department)

<http://exchanges.state.gov/culprop/index.html>

This site provides information about the Convention on Cultural Property Implementation Act and links to a variety of domestic and international laws relating to the protection of art and cultural property.

London Stolen Art Database <http://www.met.police.uk/artandantiques/index.htm>

This site from the London Metropolitan police stores details and images of 54,000 items of stolen art and cultural property including paintings, books, coins, musical instruments and games.

Lost Art Internet Database <http://www.lostart.de/index.php3?lang=english>

Germany's Koordinierungsstelle für Kulturgutverluste registers and documents search requests and found-object reports about cultural objects taken through Nazi persecution or relocated as a result of the Second World War. They produced this database to make it possible to search for these objects and the circumstances of their loss.

Object ID <http://www.object-id.com/>

Object ID is an international standard for describing art, antiques and antiquities. The project seeks to combat art theft by encouraging use of the standard and working with organizations around the world that can encourage its implementation. Provides access to the Getty Object ID checklist.

Provenance Research <http://www.artic.edu/aic/libraries/services/guides/provenance/index.html>

The Art Institute of Chicago compiled this bibliography of works that serve as a starting point in conducting provenance research.

Red List (ICOM) <http://icom.museum/redlist/>

The International Council of Museums' Red List seeks to stop the illicit trade in cultural property

by publicizing provenance details, photos, descriptions and situation assessments of threatened antiquities from various regions of the world.

SAA Repatriation Archive (Society of American Archaeology) <http://rla.unc.edu/saa/repatriation/>

This site provides access to the Society for American Archaeology's policy on repatriation as well as digitized documents pertinent to the society's involvement in repatriation matters in the United States at the state and federal levels.

Stolen Works of Art (INTERPOL) <http://www.interpol.int/Public/WorkOfArt/Default.asp>

This site circulates information concerning stolen works of art as reported to Interpol. It includes information on works of art that have been recovered as well as details about works of art for which owners have not yet been identified. The U. S. National Central Bureau of INTERPOL also has a Cultural Property Crimes Program website available at http://www.usdoj.gov/usncb/programs/cultural_property_program.php.

World Digital Library <http://www.wdl.org/en/>

This UNESCO sponsored project allows visitors to browse through a trove of artifacts spanning the history of civilization. It brings together historical manuscripts and the secondary literature describing them, translated into seven different languages. So far the library includes scanned documents from 27 libraries in 19 countries, including a manuscript from ancient Japan that is believed to be the first novel ever.

World Monuments Watch <http://www.wmf.org/watch.html>

The World Monuments Fund issues a watch list of the world's 100 most endangered sites on a biennial bases. The list focuses attention on cultural heritage around the world that is threatened by neglect, vandalism, conflict or disaster.

Many art museums worldwide have provenance research projects in process for their collections. For more information, see the specific museum's web site.

Organizations

American Association of Museums <http://www.aam-us.org/>

Develops standards and best practices, gathers and shares knowledge, and provides advocacy on issues of concern to the museum community. Their website includes a section on museum ethics at <http://www.aam-us.org/museumresources/ethics/index.cfm>.

Appraisal Foundation http://www.appraisalfoundation.org/s_appraisal/index.asp

A non-profit educational organization dedicated to the advancement of professional valuation in the United States. The web site contains information on the qualifications and ethical standards of the appraisal profession.

Archaeological Institute of America <http://www.archaeological.org/>

The official website of North America's largest archaeological organization provides access to the AIA code of ethics, code of professional standards, regulations and resolutions.

Art & Cultural Heritage Law Committee of the American Bar Association

<http://www.abanet.org/dch/committee.cfm?com=IC936000>

This committee is composed of attorneys with an interest in art, cultural heritage and cultural property law and who work in a variety of settings including private practice, museums, government and academia. This area of law is concerned with both movable and immovable property of artistic, cultural, religious and historic interest.

Association of Art Museum Directors <http://www.aamd.org/>

The purpose of the Association of Art Museum Directors is to support its members in increasing the contribution of art museums to society. It publishes a variety of useful position papers and reports on art and cultural property topics at <http://www.aamd.org/papers/>.

CINOA <http://www.cinoa.org/>

CINOA is a non-profit international federation of art and antiques dealers and associations. Their website provides links to conventions and directives at <http://www.cinoa.org/index.pl?iid=2292&isa=Category>.

Commission for Looted Art in Europe <http://www.lootedartcommission.com/>

The Commission for Looted Art in Europe helps families, communities and institutions worldwide with research, identification and recovery of looted cultural property. Their web site provides access to international policies relating to looted art such as the 1998 Washington Principles with respect to Nazi-Confiscated Art and Resolution 1205 from the Council of Europe.

European Cultural Heritage Network (Council of Europe) <http://www.european-heritage.net/sdx/herein/>

This service provides a central location for information and policies concerning heritage protection developed by individual European countries.

International Centre for the Study of the Preservation and Restoration of Cultural Property

<http://www.iccrom.org/>

ICCROM is an intergovernmental organization dedicated to the conservation of cultural heritage.

International Council of Museums <http://icom.museum/>

ICOM is an international organization of museums and museum professionals committed to the conservation and continuation of the world's natural and cultural heritage.

International Council on Monuments and Sites <http://www.international.icomos.org/home.htm>

ICOMOS seeks to protect cultural heritage by promoting the application of theory, methodology and scientific techniques to the conservation of architectural and archaeological heritage sites. Its work is based on the principles enshrined in the International Charter on the Conservation and Restoration of Monuments and Sites. The website provides access to charters and texts as well as PDF versions of a variety of ICOMOS publications.

Institute of Art and Law <http://www.ial.uk.com/>

Based in the UK, the Institute of Art and Law is a small independent research and educational

organization that analyzes the interface between the world of art and antiquities and that of law. Their main objective is to increase public knowledge concerning the contribution of law to the development of cultural tradition. Publishes the quarterly journal *Art Antiquity and Law*.

International Foundation for Art Research <http://www.ifar.org/>

IFAR is a non-profit educational and research organization dedicated to integrity in the visual arts. IFAR offers impartial and authoritative information on authenticity, ownership, theft, and other artistic, legal and ethical issues concerning art objects.

Lawyers' Committee for Cultural Heritage Preservation <http://www.culturalheritagelaw.org/>

LCCHP is a non-profit organization of lawyers and law students who promote the preservation and protection of cultural heritage resources in the United States and internationally through education and advocacy.

Nazi-Era Provenance Internet Portal <http://www.nepip.org/>

Provides a searchable registry of objects in 164 museum collections that changed hands in continental Europe during the Nazi era (1933-1945).

Saving Antiquities for Everyone <http://www.savingantiquities.org/>

SAFE is a non-profit organization dedicated to preserving cultural heritage worldwide.

Society for American Archaeology <http://www.saa.org/>

SAA is an international organization dedicated to the research, interpretation, and protection of the archaeological heritage of the Americas. A portion of their website is devoted to repatriation issues.

Volunteer Lawyers for the Arts <http://www.vlany.org/>

VLA seeks to educate artists, cultural institutions, attorneys, students and the general public about legal and business issues that affect artistic and creative endeavors. They mediate art related disputes and advocate for the arts community. They also provide pro bono and low cost legal services to the arts community.

World Heritage Centre <http://whc.unesco.org/>

Through the Centre, UNESCO seeks to encourage the identification, protection and preservation of cultural and natural heritage sites around the world considered to be of outstanding value to humanity. Through the site you can access the World Heritage List, which provides information on cultural, natural and mixed properties in 145 countries that the World Heritage Committee has designated as having significant value.

Ethical Codes, Standards, and Policies

Advisory Council on Historic Preservation Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects <http://www.achp.gov/docs/hrpolicy0207.pdf>

American Association of Museums Code of Ethics for Museums and Ethical Guidelines <http://www.aam-us.org/museumresources/ethics/index.cfm>

American Institute for Conservation Code of Ethics and Guidelines for Practice
<http://aic.stanford.edu/pubs/ethics.html>

Archaeological Institute of America Code of Ethics
http://www.archaeological.org/pdfs/AIA_Code_of_EthicsA5S.pdf

Archaeological Institute of America Code of Professional Standards
http://www.archaeological.org/pdfs/AIA_Code_of_Professional_StandardsA5S.pdf

Association of Art Museum Directors Code of Ethics <http://www.aamd.org/about/#Code>

Association of Art Museum Directors Position Papers, Reports, and Guidelines
<http://www.aamd.org/papers/>

CINOA Ethical Code of Conduct
<http://www.cinoa.org/index.pl?id=2273;isa=Category;op=show>

International Code of Ethics for Dealers in Cultural Property
http://portal.unesco.org/culture/en/ev.php-URL_ID=13095&URL_DO=DO_TOPIC&URL_SECTION=201.html

International Council of Museums Code of Ethics for Museums
<http://icom.museum/ethics.html#intro>

Report of the Association of Art Museum Directors Subcommittee on Incoming Loans of Archaeological Material and Ancient Art
http://www.aamd.org/papers/documents/Loans_and_PressRelease.pdf (scroll to page 3 of the document)

Society for American Archaeology Professional Standards for the Determination of Archaeological Value <http://saa.org/Portals/0/SAA/GovernmentAffairs/ARPAstandards.pdf>

Society for American Archaeology Repatriation Policy
<http://rla.unc.edu/saa/repat/SAApolicy.html>

Uniform Standards of Professional Appraisal Practice
<http://commerce.appraisalfoundation.org/html/2006%20USPAP/toc.htm>

U.S. Laws and Regulations

Abandoned Shipwreck Act of 1987

- P.L. 100-298, 102 Stat. 432 (1988) Law Library Core KF50 .U5 or through [HeinOnline](#) (UI access only)
- 43 U.S.C. §§ 2101 – 2106 (2006) Law Library Core KF62 2006 .A2 or http://www.law.cornell.edu/uscode/uscode43/usc_sup_01_43_10_39.html

Antiquities Act of 1906

- c. 3060, 34 Stat. 225 (1906) Law Library Core KF50 .U5 or through [HeinOnline](#) (UI access only)
- 16 U.S.C. §§ 431-433 (2006) Law Library Core KF62 2006 .A2 or http://www4.law.cornell.edu/uscode/16/usc_sup_01_16_10_1_20_LXI.html
- Regulations on Preservation of American Antiquities 43 C.F.R. Part 3 Law Library Core AE 2.106/3: or <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>

Archaeological Resources Protection Act of 1979

- P.L. 96-95, 93 Stat. 721 (1979) Law Library Core KF50 .U5 or through [HeinOnline](#) (UI access only)
- 16 U.S.C. §§ 470aa - 470mm (2006) Law Library Core KF62 2006 .A2 or http://www.law.cornell.edu/uscode/uscode16/usc_sup_01_16_10_1B.html
- Regulations on the Protection of Archaeological Resources 43 C.F.R. Part 7 Law Library Core AE 2.106/3: or <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>
- Protection of Archaeological Resources – Tennessee Valley Authority 18 C.F.R. Part 1312 Law Library Core AE 2.106/3: or <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>

Convention on Cultural Property Implementation Act

- Title III of Public Law 97-446, 96 Stat. 2329 (1983), as amended by Public Law 100-204, 101 Stat. 1331 (1987) Law Library Core KF50 .U5 or <http://culturalheritage.state.gov/97-446.html>
- 19 U.S.C. §§ 2601 – 2613 (2006) Law Library Core KF62 2006 .A2 or http://www.law.cornell.edu/uscode/uscode19/usc_sup_01_19_10_14.html
- Relevant regulations at 19 CFR §§ 12.104 – 12.109 Law Library Core AE 2.106/3: or <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>
- S. Rep. No. 97-564 (1982) Law Documents Collection Y 1.1/2: Serial 13453 or <http://culturalheritage.state.gov/97-564.html>

Federal Sentencing Guidelines Manual § 2B1.5 (2008). [Theft of, Damage to, or Destruction of, Cultural Heritage Resources; Unlawful Sale, Purchase, Exchange, Transportation, or Receipt of Cultural Heritage Resources]

- Law Library KF9685 .A875 or <http://www.ussc.gov/2008guid/TABCON08.htm>

Foreign Sovereign Immunities Act

- P.L. 94-583, 90 Stat. 2891 (1976) Law Library Core KF50 .U5 or through [HeinOnline](#) (UI access only)
- 28 U.S.C. §§ 1602 – 1611 (2006) Law Library Core KF62 2006 .A2 or http://www4.law.cornell.edu/uscode/uscode28/usc_sup_01_28_10_IV_20_97.html

Harmonized Tariff Schedules of the United States, Chapter 97 (2009) (Rev. 2) [Works of art, collectors' pieces and antiques]

- Law Documents Collection ITC 1.10: or <http://hotdocs.usitc.gov/docs/tata/hts/bychapter/0901C97.pdf>

Historic Sites Act of 1935

- ch. 593, 49 Stat. 666 (1935) Law Library Core KF50 .U5 or through [HeinOnline](#) (UI access only)
- 16 U.S.C. §§ 461 – 470 (2006) Law Library Core KF62 2006 .A2 or http://www.law.cornell.edu/uscode/uscode16/usc_sup_01_16_10_1A.html

Holocaust Victims Redress Act

- P.L. 105-158, 112 Stat. 15 (1998) Law Library Core KF50 .U5 or through [HeinOnline](#) (UI access only)

Illegal Trafficking in Native American Human Remains and Cultural Items

- 18 U.S.C. § 1170 (2006) Law Library Core KF62 2006 .A2 or http://www.law.cornell.edu/uscode/18/usc_sec_18_00001170----000-.html

Immunity from Seizure Act

- 22 U.S.C. § 2459 (2006) Law Library Core KF62 2006 .A2 or http://www.law.cornell.edu/uscode/html/uscode22/usc_sec_22_00002459----000-.html
- Exec. Order No. 12047 on Imported Objects, 3 C.F.R. 167 (1979), as amended by Exec. Order No. 12,388, 3 C.F.R. 225 (1983) or <http://www.state.gov/s/1/3195.htm>

Instructions for the Government of Armies of the United States in the Field (Lieber Code)

- Law Audiovisual Microfiche 509
- Available in .pdf through the [Making of Modern Law](#) (UI access only) or html at http://avalon.law.yale.edu/19th_century/lieber.asp

Native American Graves Protection and Repatriation Act (NAGPRA)

- P.L. 101-601, 104 Stat. 3048 (1990) Law Library Core KF50 .U55 or through [HeinOnline](#) (UI access only)
- 25 U.S.C. §§ 3001 – 3013 (2006) Law Library Core KF62 2006 .A2 or http://www4.law.cornell.edu/uscode/uscode25/usc_sup_01_25_10_32.html
- Relevant regulations at 43 C.F.R. Part 10 Law Library Core AE 2.106/3: or <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>

Nazi War Crimes Disclosure Act

- P.L. 105-246, 112 Stat. 1859 (1998) Law Library Core KF50 .U55 or through [HeinOnline](#) (UI access only)

Regulation of Importation of Pre-Columbian Monumental or Architectural Sculpture or Murals Act

- Title II of P.L. 92-587, 86 Stat. 1296 (1972) Law Library Core KF50 .U5 or through [HeinOnline](#) (UI access only)
- 19 U.S.C. §§ 2091 – 2095 (2006) Law Library Core KF62 2006 .A2 or http://www.law.cornell.edu/uscode/html/uscode19/usc_sup_01_19_10_11.html

State Department List of Agreements, Emergency Actions, and Federal Register Notices
Relating to Cultural Property

- <http://culturalheritage.state.gov/list.html>

U.S. Holocaust Assets Commission Act of 1998

- P.L. 105-186, 112 Stat. 611 (1998) Law Library Core KF50 .U55 or through [HeinOnline](#) (UI access only)

International Conventions

Convention Concerning the Protection of the World Cultural and Natural Heritage, Nov. 23, 1972

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- 27 U.S.T. 37 (1976) Law Library JX231 .A34
- <http://whc.unesco.org/en/conventiontext/>

Convention for the Protection of Cultural Property in the Event of Armed Conflict, May 14, 1954 (See also the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict)

- 249 U.N.T.S. 215 (1956) Law Library JX170 .U35 or through the [U.N. Treaty Collection](#) (UI *Law* access only)
- http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html

Convention on Stolen or Illegally Exported Cultural Objects, June 24, 1995

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- <http://www.unidroit.org/english/conventions/1995culturalproperty/main.htm>

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- 823 U.N.T.S. 231 (1972) Law Library JX170 .U35 and or through the [U.N. Treaty Collection](#) (UI *Law* access only)
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[Foreign Law: Current Sources of Codes and Basic Legislation in Jurisdictions of the World](#) (UI Law access only) Also in print at Law Reference K38 .R49 1989

[Global Legal Information Network](#) (See Law Library Reference Librarian for access)

[GlobalLex: Foreign Law Research](#)

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