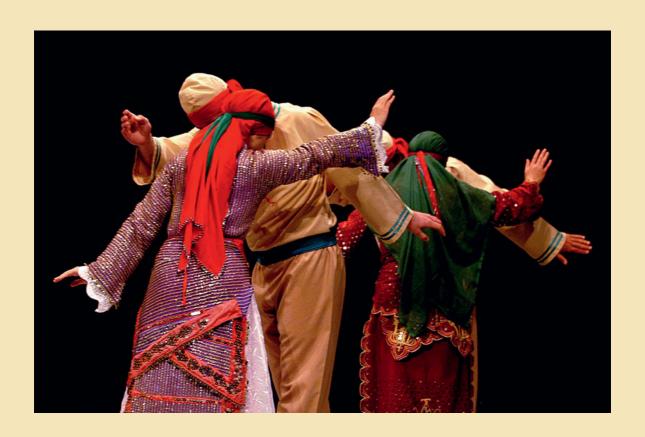
INTERNATIONAL JOURNAL OF

Cultural Property

VOLUME 20 2013 NUMBER 4





Subscription Information: *International Journal of Cultural Property* (ISSN 0940-7391) is published quarterly in February, May, August, and November by Cambridge University Press for the International Cultural Property Society. Annual subscription rates for Volume 20 (2013): Institutional subscription rate, print and electronic: US \$403 in the U.S.A., Canada, and Mexico; UK £243 elsewhere. Institutional subscription rate, electronic only: US \$315 in the U.S.A., Canada, and Mexico; UK £189 elsewhere. Individual subscription rate, print only: US \$71 in the U.S.A., Canada, and Mexico; UK £38 elsewhere. Single part rates, print only: US \$110 in the U.S.A., Canada, and Mexico; UK £67 elsewhere. Prices include surface postage.

Publishing, Advertising, and Subscription Offices: Cambridge University Press, 100 Brook Hill Drive, West Nyack, NY 10994-2133, USA (for USA, Canada, and Mexico); or Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU, England (for UK and elsewhere).

Society Inquiries: General inquiries concerning the International Cultural Property Society should be directed to Stanley N. Katz, Director, Center for the Arts and Cultural Policy Studies, Woodrow Wilson School, 428 Robertson Hall, Princeton University, Princeton, NJ 08544. Phone: 609-258-5637; fax: 609-258-1235; email: snkatz@princeton.edu

Rights and Permissions: All rights reserved. No part of this publication may be reproduced, in any form or by any means, electronic, photocopy, or otherwise, without permission in writing from Cambridge University Press. General enquiries from the USA, Mexico, and Canada should be addressed to the New York office of Cambridge University Press http://www.cambridge.org/us/information/rights/contacts/newyork.htm; general enquiries from elsewhere should be addressed to the Cambridge office http://www.cambridge.org/uk/information/rights/contacts/cambridge.htm; permission enquiries from Australia and New Zealand should be addressed to the Melbourne office http://www.cambridge.org/aus/information/contacts_melbourne.htm; enquiries regarding Spanishlanguage translation rights (only) should be addressed to the Madrid office http://www.cambridge.org/uk/information/rights/contacts/madrid.htm.

Photocopying information for users in the U.S.A.: The Item-Fee Code for the publication (0940-7391/10 \$15.00 + .10) indicates that copying for internal or personal use beyond that permitted by Sec. 107 or 108 of the U.S. Copyright Law is authorized for users duly registered with the Copyright Clearance Center (CCC) Transaction Reporting Service, provided that the appropriate remittance of \$15.00 per article is paid directly to CCC, 222 Rosewood Drive, Danvers, MA 01923. Specific written permission must be obtained for all other copying.

Abstracting Information: *International Journal of Cultural Property* is indexed and abstracted in Anthropological Literature; Art and Archaeology Technical Abstracts (Online Edition); ARTbibliographies Modern; Avery Index to Architectural Periodicals; Bibliography of the History of Art (BHA); British & Irish Archaeological Bibliography (Online Edition); IBZ—Internationale Bibliographie der Geistes- und Sozialwissenschaftlichen Zeitschriftenliteratur; Index to Foreign Legal Periodicals; Index to Legal Periodicals & Books; Internationale Bibliographie der Rezensionen Geistes- und Sozialwissenschaftlicher Literatur.

© International Cultural Property Society 2013

Cover: A performance of the Alevi Semah ritual, recently added to UNESCO's Representative List of the Intangible Cultural Heritage of Humanity. The nomination and inscription process and its limitations are discussed in the article by Bahar Aykan in this issue. Photo: Selahattin Sönmez. Used with permission.

Cultural Property

VOLUME 20 (2013) NUMBER 4

Editor

Alexander A. Bauer, Queens College, CUNY, USA

Chronicles Editor

Kurt Siehr, *Universität Zürich*, *Switzerland* and Max-Planck-Institut, Germany

Case Notes Editor

Robert K. Paterson, Faculty of Law, University of British Columbia, Canada

Book Review Editor

Patrick J. O'Keefe, *University of Oueensland*, *Australia*

USA

Associate Editors

Sonia Katyal, Fordham University School of Law, USA

Michael F. Brown, Williams College, USA

Haidy Geismar, New York University,

Thomas F. King, Independent Writer/ Consultant, USA

Lyndel V. Prott, *University of Queensland*, Australia

Editorial Board

Gregory J. Ashworth, Rijksuniversiteit Groningen, Netherlands

Márcia Bezerra de Almeida, *Universidade* Federal do Pará, Brasil

Janet E. Blake, *University of Shahid Behehshti*, *Iran*

Gregory Borgstede, *University of* Pennsylvania Museum, USA

Mira Burri, World Trade Institute, Switzerland

Chip Colwell-Chanthaphonh, Denver Museum of Nature and Science, USA

María Luz Endere, Conicet and Universidad del Centro de la Provincia de Buenos Aires, Argentina

Derek Fincham, South Texas College of Law, USA

Richard Handler, *University of Virginia*, USA

Claire Lyons, Getty Museum, USA

Stephanie Moser, *University of Southampton*, *UK*

Elina Moustaira, Faculty of Law, University of Athens, Greece

Dawson Munjeri, Delegation of Zimbabwe to UNESCO, Zimbabwe and France

Anila Naeem, NED University of Engineering and Technology, Pakistan James A. R. Nafziger, Willamette University College of Law, USA

Hyung Il Pai, *University of California*, Santa Barbara, USA

Jorge Sánchez Cordero, Mexican Center of Uniform Law, Mexico

Daniel Shapiro, President Emeritus, International Cultural Property Society, USA

Folarin Shyllon, Faculty of Law, Olabisi Onabanjo University, Nigeria

Samuel Sidibé, *National Museum of Mali, Mali*

Neil Asher Silberman, *University of Massachusetts*, *Amherst*, *USA*

Madhavi Sunder, UC Davis School of Law, USA

David Throsby, Macquarie University, Australia

Alison Wylie, *University of Washington*, *USA*

Board Members Emeritus

Clemency Coggins, Boston University, USA David Lowenthal, University College London, UK

John Henry Merryman (Founder), Stanford University Law School, USA

Stephen K. Urice, *University of Miami* School of Law, USA

Cultural Property SOCIETY

BOARD OF DIRECTORS

President

Derek Gillman
Barnes Foundation, USA

Treasurer

Stanley N. Katz
Center for Arts and Cultural Policy Studies, Princeton University, USA

Secretary

Stephen K. Urice University of Miami School of Law, USA

Vice-President

Stanley N. Katz
Center for Arts and Cultural Policy Studies, Princeton University, USA

Stephen W. Clark J. Paul Getty Trust

Talat S. Halman Center for Turkish Literature, Bilkent University, Turkey

Marc-André Renold Art-Law Centre, University of Geneva Law School, Switzerland

Lawrence Rosen
Department of Anthropology, Princeton University, USA

Kurt Siehr, Law School Universität Zurich, Switzerland and Max-Planck-Institut, Germany

> Susan Taylor New Orleans Museum of Art, USA

Ana Filipa Vrdoljak Faculty of Law, University of Technology, Sydney, Australia

> President Emeritus Daniel Shapiro

CONTENTS VOLUME 20 (2013) NUMBER 4

| ٨ | DT | | | ш | CC | |
|---|----|---|------------|---|-----|---|
| А | К | Н | (. | ш | - > | ı |

| The UNESCO Convention on Cultural Diversity: An Appraisal Five Years after Its Entry into Force | |
|---|-----|
| Mira Burri | 357 |
| How Participatory is Participatory Heritage Management? The Politics of Safeguarding the Alevi Semah Ritual as Intangible Heritage Bahar Aykan | 381 |
| International Cultural Heritage Regimes, International Law, and the Politics of Expertise | |
| Lucas Lixinski | 407 |
| The Politics of Preservation: Privileging One Heritage over Another Jonathan S. Bell | 431 |
| CASE NOTE | |
| About Sacred Cultural Property: The Hopi Masks Case Marie Cornu | 451 |
| CONFERENCE REPORTS | |
| Beyond the Equator (Principles): A Forum on Community Benefit Sharing in Relation to Major Land Alteration Projects and Associated Intellectual Property Issues in Cultural Heritage Held at the Meeting of the Society for American Archaeology, Honolulu, 5 April 2013 John R. Welch and Ian Lilley | 467 |
| UNESCO-BREDA Workshop on Capacity-Building and Awareness-Raising on the Fight against Illicit Trafficking of Cultural Property in West Africa: Dakar, Senegal, 17–19 September 2012 | |
| Folarin Shyllon | 495 |
| Extraordinary Meeting of States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property | |
| Folarin Shyllon | 499 |
| First Session of the Subsidiary Committee of the Meeting of States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property | |
| Folarin Shyllon | 501 |