



# International Trade in Indigenous and Cultural Heritage: Legal and Policy Issues

By *Christophe B. Graber, Karolina Kuprecht, Jessica C. Lai*

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*'This timely and pioneering volume provides an ethnically sensitive exploration of the international trade in indigenous cultural heritage. The country reports are informative and insightful; they greatly enrich our understanding of the realities on the ground in Australia, Canada, New Zealand and the United States. The book also contains concrete and practical recommendations. It is essential reading for anyone interested in learning more about the protection and development of indigenous cultural heritage.'*

- Peter K. Yu, Drake University Law School, US

*'Christoph Graber, Karolina Kuprecht and Jessica Lai have brought together authors who know the field, given them a set of concrete themes and through meticulous editing have produced an integrated work that has the strength of collective insight. This book sets the standard for researchers working on those difficult issues raised by trade and commerce in indigenous cultural heritage.'*

- Peter Drahos, Australian National University

This topical book brings to the fore new and standard-setting research into the connection between indigenous cultural heritage, international trade and economic development of indigenous peoples.

The book is unique in taking a multi-faceted approach to cultural heritage, incorporating discussion on tangible and intangible, moveable and immovable elements of indigenous peoples' culture. From the perspectives of several international legal fields, including trade law, intellectual property, cultural property, cultural heritage law and human rights, the book explores how indigenous peoples could be empowered to participate more actively in the trade of their cultural heritage without being compelled to renounce important traditional values. The national and local legal realities in four jurisdictions (New Zealand, Australia, United States and Canada) lay the scene for a wide-ranging analysis of various possibilities and proposals on how this might be achieved.

*International Trade in Indigenous Cultural Heritage* will appeal to legal scholars and practitioners interested in cultural property and heritage, intellectual property, trade law and human rights. Policy-makers within governmental

departments and international organisations will also find much to interest them in this detailed study as will anyone working in the field of indigenous rights.

**Contributors:** C. Antons, F. Bandarin, C. Bell, K. Bowrey, D. Champagne, P.L.A.H. Chartrand, R.J. Coombe, S. Frankel, M. Girsberger, C.E. Goldberg, C.B. Graber, K. Kuprecht, J.C. Lai, F. Lenzerini, F. Macmillan, B. Müller, J. Scott, K. Siehr, R. Tsosie, J.F. Turcotte, B. Vézina

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### Editorial Review

#### Review

'... the book is unique as a first publication to address all relevant viewpoints of international law on the topic of ICH trade. We have in one volume a comprehensive picture of indigenous peoples' interests in cultural heritage and development. ... The editors can be congratulated on producing an amazingly rich volume... This is legal research at the cutting edge, and for once not so Euro-American centric.' -- Laura Nader, *The IP Law Book Review* 'This timely and pioneering volume provides an ethnically sensitive exploration of the international trade in indigenous cultural heritage. The country reports are informative and insightful; they greatly enrich our understanding of the realities on the ground in Australia, Canada, New Zealand and the United States. The book also contains concrete and practical recommendations. It is essential reading for anyone interested in learning more about the protection and development of indigenous cultural heritage.' -- Peter K. Yu, Drake University Law School, US 'Christoph Graber, Karolina Kuprecht and Jessica Lai have brought together authors who know the field, given them a set of concrete themes and through meticulous editing have produced an integrated work that has the strength of collective insight. This book sets the standard for researchers working on those difficult issues raised by trade and commerce in indigenous cultural heritage.' -- Peter Drahos, Australian National University

#### About the Author

Edited by **Christoph B. Graber**, **Karolina Kuprecht** and **Jessica C. Lai**, members of i-call, the research centre for communication and art law, University of Lucerne, Switzerland

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