

---

## List of Contributors

- Janet Blake Department of Law, University of Dundee, Dundee DD1 4HN, UK  
Tel: 44 382 23181, Fax: 44 382 26905
- M. M. Boguslavskij Institute of State and Law of the Russian Academy of Sciences, Znamenka St. 10, 119841 Moscow, Russia
- Christopher Chippindale Cambridge University Museum of Archaeology & Anthropology, Downing Street, Cambridge CB2 3DZ, UK  
Tel: (0223) 333510
- Igor Emetz, Yuri Desyatnikov and Boris Peters Institute of Archaeology, DM Ulyanova 19, 117036 Moscow, Russia  
Tel: 124 35 88
- Joanna Goyder Baker & McKenzie, Boulevard du Régent 40, 1000 Brussels, Belgium  
Tel: 322 506 36 11, Fax: 322 511 62 80
- Patty Gerstenblith College of Law, De Paul University, 25 East Jackson Boulevard, Chicago, Illinois 60604–2287, USA  
Tel: 312 362–6175,  
Fax: 312 362–5448
- Eamonn P. Kelly National Museum of Ireland, Kildare Street, Dublin 2, Ireland  
Tel: (01) 618811, Fax: (01) 766116
- J. David Murphy Department of Law, University of Hong Kong, Pokfulam Road, Hong Kong  
Tel: 852 859 2974, Fax: 852 559 3543
- Patrick J. O'Keefe 6 Villa des Entrepreneurs, 75015 Paris, France, Tel: 331 45786005, Fax: 331 45754118
- Daniel Shapiro 500 Fifth Avenue, 38th Floor, New York, N.Y. 10110, USA  
Tel: (212) 382–0200

---

List of Contributors

---

Kurt Siehr

Rechtswissenschaftliches Seminar der  
Universität Zürich, Centrum für Internationales  
Privatrecht, Wiesenstrasse 9,  
CH-8008 Zürich, Switzerland, Tel: (01)  
257 31 11/12, Fax: (01) 382 02 85

Ben Ward

c/o Norman Palmer, Faculty of Laws,  
University College London, Bentham  
House, 4–8 Endsleigh Gardens, Lon-  
don WC1H OEG, UK, Tel: 071 380  
7326, Fax: 071 387 9597

---

# Index to Volume Three

## Table of Contents

### Articles

- Boguslavskij, M. M., ‘Contemporary Legal Problems of Return of Cultural Property to its Country of Origin in Russia and the Confederation of Independent States’ 243–256
- Clément, Etienne, ‘Some Recent Practical Experience in the Implementation of the 1954 Hague Convention’ 11–25
- Eirinberg, Keith W., ‘The United States Reconsiders the 1954 Hague Convention’ 27–35
- Franklin, Johnathan Adlai, ‘Respecting Ancestors, Archaeologists, and the World Art Community: Enacting a Post-Excavation Cultural Preservation Policy’ 37–60
- Kelly, Eamonn, ‘Protecting Ireland’s Archaeological Heritage’ 213–225
- Merryman, John Henry, ‘The Nation and the Object’ 61–76
- Murphy, J. David, ‘The People’s Republic of China and the Illicit Trade in Cultural Property: Is the Embargo Approach the Answer?’ 227–242

### Book Reviews

- Beck, James (with Michael Daley), *Art restoration: the culture, the business and the scandal* (Christopher Chippindale) 397–403
- Chomsky, Noam, *Year 501: The Conquest Continues* (David Armitage) 191–193
- Gaines, J. M., *Contested Culture: The Image, the Voice, and the Law* (David Saunders) 194–202
- Messenger, Phyllis Mauch (ed.) *The Ethics of Collecting Cultural Property: Whose Culture? Whose Property?* (Ben Ward) 203–206

### Case Notes

- Kearns, Paul, ‘Works of Art in EC Customs Law: The Problem of Paperweights’ 115–120
- O’Keefe, Patrick, ‘Foreign Investment and the World Heritage Convention’ 259–265

- Ward, Alan, 'Treasure Trove: Challenging the Decision of Coroner's Courts' 121–130

### Chronicles

- April 1993 – September 1993 93–114  
October 1993 – March 1994 315–345

### Conference Reports

- The Cultural Heritage in the Risk of Modernity: A Symposium. Salzburg, 8–10 October 1992 (Irmgard Schöffler) 171–172
- Australian Institute of Maritime Archaeology: Eleventh Annual Conference. Sydney, 12–17 November 1992 (Patrick O'Keefe) 175–176
- Australia ICOMOS: Events. Sydney, 19–20 November 1992 (Patrick O'Keefe) 173–174
- A Report on the Information Day organised by the Swiss National Commission for UNESCO. Berne, 2 July 1993 (Lyndel Prott) 182–185
- Treasure Trove from East Anglia. Norwich, 2 October 1993 (Ben Ward) 349–354
- War Damage: The Cultural Heritage of Bosnia-Herzegovina. London, 25 November 1993 (Ben Ward) 355–357
- Conservation and the Antiquities Trade. London, 2–3 December 1993 (Ben Ward) 358–363

### Documents

- Code of Conduct of the Antiquities Dealers Association 310–311
- International Congress of Maritime Museums, 21 September 1993 308–309
- Mauritius Scheme for the Protection of the Material Cultural Heritage 295–300
- Portable Antiquities: A Statement of Principles (Council for British Archaeology, Museums Association, Society of Antiquaries, London (Co-Sponsors)) 187–189
- Resolution over Art Trade and International Cultural Exchange (The German Archaeological Society) 190
- Theft and Smuggling of Cultural Relics in China and Counter-Measures Against Them 312–314
- The UNIDROIT Draft Convention on the International Protection of Cultural Property 301–307

### Essays

- Emetz, Igor, Desyatnikov, Yuri, and Peters, Boris, 'The Looting of a Site in South Russia' 257–258

Forder, Caroline, 'Who's Afraid of Red, Yellow and Blue III?'	83–91
Irsheid, Christine, 'The Reunification of Germany as a Challenge for the Protection of Historical Monuments'	77–82

**Legislation**

Blake, Janet, 'The Protection of Turkey's Underwater Archaeological Heritage – Legislative and Other Approaches'	273–293
Forder, Caroline, 'The Museums and Galleries Act 1992'	131–158
Murphy, J. David, 'An Annotated Chronological Index of People's Republic of China Statutory and other Materials Relating to Cultural Property'	159–167

**Letter**

Ali Kanli	169
-----------	-----

**News from Correspondents**

United States News Notes (Patty Gerstenblith)	347–348
---	---------

**Treaties and EU Matters**

Goyder, Joanna, 'European Community Free Movement of Cultural Goods and European Community Law Part V: A Summary of Current Legislative Initiatives and a Note on the Progress of the European Convention on Protection of the Archaeological Heritage (Revised)'	125–130
Goyder, Joanna, 'European Union Hallmarking'	267–271

**Table of Statutes****Australia**

1976 Historic Shipwrecks Act	175
1983 World Heritage Properties Conservation Act	262
1987 Lemonthyme and Southern Forests (Commission of Inquiry) Act	263

**People's Republic of China**

1930 Law on the Preservation of Ancient Objects	159
1980 Criminal Law	160
	409

1982 Law on the Protection of Cultural Relics	162, 232, 236, 312, 314
1982 Constitution	162
1984 Law on Regional National Autonomy	162
1986 Mineral Resources Law	163
1987 Customs Law	164
1987 Archives Law	165
 <b>Cyprus</b>	
1935 Antiquities Law	169
 <b>Ireland</b>	
1930 National Museums Act	180, 213
1987 National Monuments (Amendment) Act	180, 220 ff.
 <b>Russian Socialist Federal Soviet Republic</b>	
1990 Law on Urgent Measures for the Protection of National Cultural and Natural Heritage	255
 <b>Turkey</b>	
1869 Historic Monuments Act	275
1884 Antiquities Law	275
1906 Antiquities Law	276
1973 Antiquities Law	276
1983 Antiquities Law	273, 276–281, 284 ff.
 <b>United Kingdom</b>	
1856 National Gallery Act	132, 142
1906 National Galleries of Scotland Act	131, 150
1954 National Gallery and Tate Gallery Act	132, 142 ff.
1980 National Heritage Act	148–149
1983 National Heritage Act	132 ff.
1985 National Heritage (Scotland) Act	131
1979 Protection of Wrecks Act	279
1988 Coroner's Act	121–124
1992 Museums and Galleries Act	10, 131–158
 <b>United States</b>	
1970 Pre-Columbian Monuments Act	390
1971 Alaska Native Claims Settlement Act	10, 40 ff.
1976 National Stolen Property Act	283–284

1979 Archaeological Resource Preservation Act	41 ff., 348
1983 Cultural Property Implementation Act	358, 368, 391
1990 Native American Graves Protection and Repatriation Act	10, 37, 42 ff.

## Table of Cases

### Australia

Commonwealth v Tasmania (1983)	262 ff.
Richardson v Commonwealth (1987–88)	262–263
Queensland v Commonwealth (1989)	262

### EU

Farfalla Flemming und Partner v Hauptzollamt	
München-West (unreported)	115–120
Raab (1989)	115
Reinhard Onnasch v Hauptzollamt Berlin-Packhouse (1984)	118
Westfälischer Kunstverein v Hauptzollamt Münster (1977)	115

### France

Southern Pacific Properties (Middle East) v Arab Republic of Egypt (1987)	260–265
---	---------

### Ireland

Webb v Ireland and the Attorney General (1988)	212
--	-----

### United Kingdom

Attorney General v Trustees of the British Museum (1903)	122–123
Attorney General of New Zealand v Ortiz (1984)	360
Bumper Development Corporation Ltd. v Commissioner of Police for the Metropolis and Others (1991)	360
R v HM Coroner for the County of Wiltshire ex parte Chaddock (1992)	121–124

### United States

Autocephalous Greek Orthodox Church of Cyprus and Republic of Cyprus v Goldberg and Feldman Fine Arts (1990)	283, 285 ff., 361
--	-------------------

- Lugosi v Universal Pictures Inc. (1979) 196, 203, 205  
Kunstsammlungen zu Weimar v Elicofon (1980) 283, 285 ff.  
Menzel v Lizt (1964) 361  
Onassis v Dior (1984) 196  
Peru v Johnson (1989) 62–63, 203, 205, 360, 374  
Republic of Turkey v The Metropolitan Museum of Art (1990) 283, 285–290, 374  
Solomon R. Guggenheim Foundation v Lubell (1990) 287–288  
US V Gerber (1993) 348  
US v Hollinshead (1971) 283  
US v McClain (1979) 203, 205, 283 ff., 374  
US v Swetnam 203, 205

## Table of Conventions and Treaties

- 1866 Treaty of Vienna 251  
1919 Treaty of Versailles 245, 251  
1919 Convention between Austria and Czechoslovakia 245, 251  
1919 Convention between Austria and Italy 245, 251  
1919 Convention between Austria and Hungary 245, 251  
1920 Treaty between Russia and Estonia 251  
1920 Treaty between Russia and Lithuania 251  
1920 Treaty between Russia and Latvia 251  
1921 Treaty between Ukraine and Lithuania 251–252  
1921 Treaty between Ukraine and Latvia 252  
1921 Treaty between Ukraine and Estonia 252  
1921 Treaty between Byelorussia, Russia, Ukraine and Poland 252  
1935 Treaty of Washington ('Roerich Pact') 12  
1947 Treaty between Russia and Hungary 251  
1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict 10–35, 70, 72, 171, 183, 230, 243, 247 ff., 356, 367  
1957 EEC Treaty of Rome 116, 127, 267  
1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 63, 71, 166, 182, 185, 230–231, 244 ff., 301, 308, 358, 360–361, 375 ff.  
1972 UNESCO Convention Concerning the Protection of World Cultural and Natural Heritage 12, 13, 171, 173–174, 183, 244, 252 ff.

1983 Vienna Convention on the Succession of States to International Agreements (not in force)	250 ff.
1983 Vienna Convention on the Succession of States to State Property, State Archives and State Debts (not in force)	250 ff.
1992 European Convention on Protection of the Archaeological Heritage	125, 128–129, 175
1992 Treaty between Germany and Russia on Good Neighbourhood, Partnership and Collaboration	247

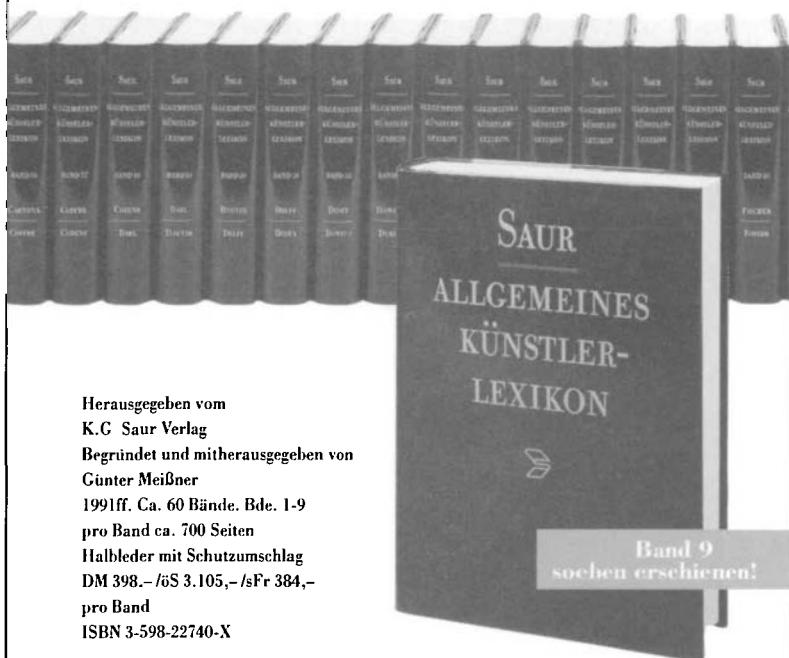
## Subject Index

Afo-A-Kom	68 ff.
Austria,	
cultural heritage and	
171–172	
Berlin wall	77 ff.
Brandenburg gate	77–78
China (People's Republic),	
cultural property legislation	
159–167, 227 ff.	
illegal trade in objects and	
227–242	
Conflict of laws	87–90,
286–287	
Cyprus,	
illegal trade in objects and	
169, 369	
Elgin marbles	64
Eskimo cultural heritage	38 ff.
Goldreyer, Daniel	83–90
Hrdlicka, Ales	47–48
Kanakaria Mosaics	
286–287, 361, 362	
Lydian Treasure	282, 283 ff.,
362	
National Gallery (London)	
131 ff.	
National Portrait Gallery (London)	
131 ff.	
National sovereignty	62
'Priam's Treasure'	275, 347
Poussin 'The Holy Family on the Steps'	65–66, 68 ff., 377
Subsidiarity doctrine	268
Succession in international law	
249 ff.	
Tate Gallery (London)	131 ff.
Treasure trove,	
in Ireland	179–180, 213–225
in United Kingdom	
121–124, 177–181,	
187–189	
Turkey,	
protection of cultural heritage	
and 273–293	
UNESCO,	
Biafra War and	17
Cambodia and	14–15,
358–359	
'Gulf War' and	16–18, 30 ff.
USA and	27–35
Yugoslavia and	14 ff., 27
VAT on works of art	126–127
Wallace Collection (London)	
131 ff.	
Ziggurat of Ur	33



# ALLGEMEINES KÜNSTLERLEXIKON

Die Bildenden Künstler aller Zeiten und Völker



Herausgegeben vom

K.G. Saur Verlag

Begründet und mitherausgegeben von

Günter Meißner

1991ff. Ca. 60 Bände. Bde. 1-9

pro Band ca. 700 Seiten

Halbleder mit Schutzhülle

DM 398,- / öS 3.105,- / sFr 384,-

pro Band

ISBN 3-598-22740-X

- ◆ Insgesamt nahezu 500.000 Künstlereinträge bei ca. 7.000 Artikeln pro Band.
- ◆ Exakte biographische und bibliographische Informationen über Künstler aller Kulturräume der Erde von der Antike bis zur Gegenwart.
- ◆ Es gibt kein vergleichbares Werk, das genauso umfassend, aktuell und kompetent über Künstler der ganzen Welt aus allen Epochen informiert.
- ◆ Bitte fordern Sie einen detaillierten Prospekt, unsere 32seitige Musterbroschüre oder einen Ansichtsband bei uns an.



**K.G. Saur Verlag**

**München · Leipzig · New Providence · London · Paris**

Reed Reference Publishing

Postfach 70 16 20 · D-81316 München

Tel. (089) 7 69 02-0 · Fax (089) 7 69 02-150

# Contents

No. 2 · Vol. 3 · 1994

**Editorial**  
Norman Palmer

## Articles

Protecting Ireland's Archaeological Heritage  
Eamonn P. Kelly

The People's Republic of China and the Illicit Trade in Cultural Property:  
Is the Embargo Approach the Answer?  
J. David Murphy

Contemporary Legal Problems of Return of Cultural Property to its Country of Origin in Russia and the Confederation of Independent States  
M. M. Boguslavskij

## Essay

The Looting of a Site in South Russia  
Igor Emetz,  
Yuri Desyatichkov and  
Boris Peters

## Case Note

Foreign Investment and the World Heritage Convention  
Patrick J. O'Keefe

## Treaties and EU Matters

European Union Hallmarking  
Joanna Goyder

## Legislation

The Protection of Turkey's Underwater Archaeological Heritage – Legislative Measures and Other Approaches  
Janet Blake

## Documents

Mauritius Scheme for the Protection of the Material Cultural Heritage  
Patrick O'Keefe

The UNIDROIT Draft Convention on the International Protection of Cultural Property  
Kurt Siehr

International Congress of Maritime Museums, 21 September 1993

Code of Conduct of the Antiquities Dealers Association

Theft and Smuggling of Cultural Relics in China and Counter-Measures Against Them

## Chronicles

### News from Correspondents

United States News Notes  
Patty Gerstenblith

## Conference Reports

Treasure from East Anglia: Norwich, 2 October 1993  
Ben Ward

War Damage: The Cultural Heritage of Bosnia-Herzegovina: London, 25 November 1993  
Ben Ward

Conservation and the Antiques Trade: London, 2–3 December 1993  
Ben Ward

## Opinion

Legal Issues in the Trade of Antiquities  
Daniel Shapiro

## Book Review

James Beck with Michael Daley *Art restoration: the culture, the business and the scandal*  
Christopher Chippindale

## List of Contributors

## Index