1. **Title of the module**

International Cultural Heritage Law, LAWS9250 (LW925)

1. **Division or partner institution which will be responsible for management of the module**

Division of Law, Society and Social Justice: Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 7

1. **The number of credits and the ECTS value which the module represents**

20 credits (10 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring

1. **Prerequisite and co-requisite modules**

None

1. **The programmes of study to which the module contributes**

LLM in (Specialisation); LLM in Law; PG Diploma in (Specialisation); PG Certificate in Law. Available to postgraduate students from other schools at the convenors discretion.

1. **The intended subject specific learning outcomes.
On successfully completing the module students will be able to:**
2. Demonstrate a systematic understanding of the key concepts, policy issues and principles underlying cultural heritage law.
3. Engage in a sophisticated analysis of the theoretical and academic debates that underlie the substantive law of cultural heritage protection.
4. Critically evaluate the role of international and national institutions as well as other stakeholders in the protection of the cultural heritage.
5. Demonstrate a comprehensive understanding of the practical context in which cultural heritage law operates.
6. Demonstrate a detailed appreciation of the scope of European law, international law and policies and their impact on English cultural heritage law.
7. Compare existing legal regimes of the protection of the cultural heritage in England, North America, and continental Europe.
8. **The intended generic learning outcomes.
On successfully completing the module students will be able to:**
9. Engage in sophisticated independent academic research, to effectively locate primary and secondary materials.
10. Critically evaluate an area of law both doctrinally and in terms of its historical and social consequences
11. Effectively apply knowledge to analyse complex issues and provide a critical assessment of the law.
12. Recognise potential alternative solutions to particular problems and make a reasoned choice between them.
13. **A synopsis of the curriculum**

Cultural heritage law has developed as a distinctive legal topic in the last thirty years to regulate the widening concept of heritage which started with the protection of historical monuments in the 19th century and now includes intangible values.

This area of law considers a developing jurisprudence that involves international treaties, laws, ethics, and policy consideration relating to the heritage. Academic research now aims to identify values and principles that contribute to a fair and equitable cultural heritage policy. It addresses the essential question of the need to change the law to accommodate the specific needs of protection of cultural heritage/cultural property. It aims to give coherence to practices shaped by art dealers, collectors, museums, communities and States, as well as a complex body of rules at the intersection of civil law, property law, criminal law, public law, private international law and public international law. Those different interactions have developed a less than coherent legal framework that will be comparatively analyzed by reference to French, English and American Law.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**
* Chamberlain, Kevin, 2013. *War and Cultural Heritage: Commentary on the Hague Convention 1954 and Its Two Protocols*, Leicester: Institute of Art & Law.
* Chechi, Alessandro, 2014. *The Settlement of International Cultural Heritage Disputes*, Oxford: Oxford University Press.
* Forrest, Craig, 2009. *International law and the protection of cultural heritage*, London: Routledge
* Kono, Toshiyuki, 2010. *The impact of uniform laws on the protection of cultural heritage and the preservation of cultural heritage in the 21st century*, Leiden: Martinus Nijhoff Publishers.
* Prott, Lyndel V., 2009. *Witnesses to history: a compendium of documents and writings on the return of cultural objects*, Paris: UNESCO.
* Stamatoudi, Irini, 2011. *Cultural property law and the restitution of cultural property: a commentary to international conventions and European Union law*, Cheltenham: Edward Elgar.
* Journals: The international journal of cultural property; Art, Antiquity and Law
* Newspaper: The Art Newspaper.
1. **Learning and teaching methods**

Total study hours: 200

Contact hours: 18

Private study hours: 182

1. **Assessment methods.**

13.1 Main assessment methods

The module will be assessed by 100% coursework as follows:

Essay, no more than 5000 words (100%)

13.2 Reassessment methods

100% coursework

1. **Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 9.1 | 9.2 | 9.3 | 9.4 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |
| Lectures | X | X | X | X | X | X |  | X |  |  |
| Seminars | X | X | X | X | X | X | X | X | X | X |
| Private Study | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** | Specify word length, duration, individual or group work (as appropriate) |  |  |  |  |  |  |  |  |  |  |
| Essay (100%) | 5000 words (max.) | X | X | X | X | X | X | X | X | X | X |

1. **Inclusive module design**

The Division/School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, the lecture/seminars will not be recorded as they are heavily discussion-based and may contain sensitive material.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

The module is inherently internationalised as demonstrated by the indicative readings and the internationally focus learning outcomes, namely a detailed appreciation of the scope of European law, international law and policies and their impact on English cultural heritage law and the comparison of existing legal regimes of the protection of the cultural heritage in England, North America, and continental Europe. The demonstration of these internationalised outcomes is required for the assessment.

**DIVISIONAL USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs(Q6 & 7 cover sheet) |
| 16/2/2021 | Minor | September 2021 | 1 | No |
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