

CAMBRIDGE

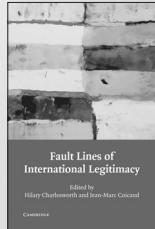
## Outstanding New Scholarship from Cambridge!

### Fault Lines of International Legitimacy

Edited by

HILARY CHARLESWORTH  
JEAN-MARC COICAUD

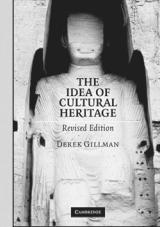
\$102.00: Hb: 978-0-521-76446-9:  
416 pp.



### The Idea of Cultural Heritage Revised Edition

DEREK GILLMAN

\$90.00: Hb: 978-0-521-19255-2  
\$27.99: Pb: 978-0-521-12257-3:  
216 pp.



### The Protection of Biodiversity and Traditional Knowledge in International Law of Intellectual Property

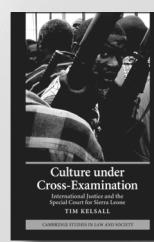
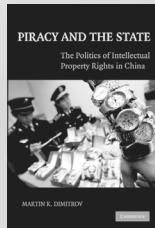
JONATHAN CURCI

*Cambridge Intellectual Property and Information Law*  
\$110.00: Hb: 978-0-521-19944-5:  
360 pp.

### Piracy and the State The Politics of Intellectual Property Rights in China

MARTIN DIMITROV

\$85.00: Hb: 978-0-521-89731-0:  
326 pp.



### Culture under Cross-Examination International Justice and the Special Court for Sierra Leone

TIM KELSALL

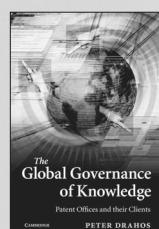
*Cambridge Studies in Law and Society*  
\$109.99: Hb: 978-0-521-76778-1:  
312 pp.



### Universities and Copyright Collecting Societies

DINUSHKA KISHANI MENDIS

*Information Technology and Law*  
\$85.00: Hb: 978-9-067-04298-7:  
276 pp.



### The Global Governance of Knowledge Patent Offices and their Clients

PETER DRAHOS

\$115.00: Hb: 978-0-521-19566-9  
\$45.00: Pb: 978-0-521-14436-0:  
368 pp.



### Gene Patents and Collaborative Licensing Models Patent Pools, Clearinghouses, Open Source Models and Liability Regimes

Edited by  
GEERTRUI VAN OVERWALLE  
*Cambridge Intellectual Property and Information Law*  
\$120.00: Hb: 978-0-521-89673-3:  
514 pp.

Prices subject to change.

[www.cambridge.org/us/law](http://www.cambridge.org/us/law)



CAMBRIDGE  
UNIVERSITY PRESS

## Instructions for Contributors

*International Journal of Cultural Property* is a peer-reviewed journal which publishes papers and other materials representing a broad set of perspectives on problems relating to cultural property, cultural heritage, and related issues. Contributions are welcome from the wide variety of fields implicated in the debates—law, anthropology, public policy, archaeology, art history, preservation, museum-, tourism-, and heritage studies—and from a variety of perspectives and interests—indigenous, Western, and non-Western; academic, professional and amateur; consumers and producers—to promote meaningful discussion of the complexities, competing values, and other concerns that form the environment within which these disputes exist.

The *IJCP* accepts contributions in English (though exceptions may be made) of two types:

**Articles** should be sent to the Editor, preferably by email to [culturalproperty@cambridge.org](mailto:culturalproperty@cambridge.org) (or mailed to Alexander Bauer, Department of Anthropology, Queens College, 65-30 Kissena Blvd., Flushing, NY 11367), and may address any issue regarding tangible or intangible cultural property and heritage, and may draw upon scholarship from such diverse fields as anthropology, archaeology, economics, geography, law, museum studies, public policy, and tourism management, among others. Because of the interdisciplinary nature of the subject matter, authors should refrain from employing subject-specific jargon where possible, and should generally keep in mind that diverse readership may require that certain concepts be explained in greater detail than they are accustomed. Of particular interest are articles which contain a pragmatic dimension and propose new directions for policy and practice. Submitted manuscripts should generally be between 6000 and 9000 words, although longer pieces may be considered, and should follow the format described in the “Instructions for Contributors” printed in Vol. 15, No. 1 (2008) and available online at [http://www.journals.cambridge.org/jid\\_JCP](http://www.journals.cambridge.org/jid_JCP).

**Case Notes** should be sent directly to the Case Notes Editor either by email at [paterson@law.ubc.ca](mailto:paterson@law.ubc.ca) or mail (to Robert Paterson, University of British Columbia Law School) and may deal with national, state or provincial court decisions, decisions of international or administrative tribunals, and other decision-making bodies, such as arbitration tribunals. They should not exceed 6000 words in length except in exceptional circumstances, and should set out the facts of the case under discussion and summarize the reasoning of the court or other decision-making body, making reference to similar earlier cases, as well as contain critical discussion of the findings in the case. In general, Case Notes should contain all available citations for the case being discussed, both official and unofficial and electronic wherever possible. In the case of decisions that are not available in English authors should be particularly aware that readers may not be able to read the actual decision and provide more information about the facts and reasoning in the case than might otherwise seem necessary.

Aside from the above materials, the *IJCP* also publishes book reviews, documents of record, chronicles (a summary of significant national and regional developments) and conference reports. Books to be considered for review should be sent directly to the Book Review Editor (Patrick O’Keefe, P.O. Box 8049, Toowoomba Mail Centre, Toowoomba Queensland 4352, Australia). Readers wishing to alert the *IJCP* about significant documents of record and upcoming conferences should contact the Chronicles Editor (Kurt Seihr, by mail to: Mittelweg 187, D 20148 Hamburg, Germany, or email to: [siehr@mpipriv-hh.mpg.de](mailto:siehr@mpipriv-hh.mpg.de)).

For an expanded version of the Instructions for Contributors please see *IJCP* 17(2010): 131–134 or go to the journals website: [www.Journals.cambridge.org](http://www.Journals.cambridge.org)

# CONTENTS

## VOLUME 17 (2010) NUMBER 2

SPECIAL ISSUE: Spoils of War v. Cultural Heritage:  
The Russian Cultural Property Law in Historical Context  
Guest Editor: Patricia Kennedy Grimsted

*Foreword*  
Charles A. Goldstein

*Introduction*  
Patricia Kennedy Grimsted

*Plunder, Restitution, and International Law*  
Wayne Sandholtz

*The Allied Struggle Over Cultural Restitution, 1942–1947*  
Michael Kurtz

*Stalin's Decrees and Soviet Trophy Brigades: Compensation,  
Restitution in Kind, or "Trophies" of War?*  
Konstantin Akinsha

*Legalizing "Compensation" and the Spoils of War?: the Russian Law on Displaced  
Cultural Valuables and the Manipulation of Historical Memory*  
Patricia Kennedy Grimsted

*Why Can't Private Art "Trophies" Go Home from the War? The Bremen Kunsthalle  
Case: A Cause-Célebre of German-Russian Restitution Politics*  
Konstantin Akinsha

*Why Do Captured Archives Go Home?:  
Restitution Achievements under the Russian Law*  
Patricia Kennedy Grimsted

*Art Loans and Immunity from Seizure in the United States  
and the United Kingdom*  
Lawrence M. Kaye

*Chabad v. Russian Federation: A Case Study in the Use of  
American Courts to Recover Looted Cultural Property*  
Michael J. Bazyler and Seth M. Gerber

*Trophy Art as Ambassadors: Reflections Beyond Diplomatic Deadlock  
in the German-Russian Dialogue*  
Wolfgang Eichwede

*APPENDIX 1: Federal Law on Cultural Valuables Displaced to the USSR as a Result of  
the Second World War and Located on the Territory of the Russian Federation*  
translated by Konstantin Akinsha and Patricia Kennedy Grimsted

*APPENDIX 2: Russian Legal Instruments Relating to Cultural Valuables  
Displaced as a Result of the Second World War, 1990–2009*  
compiled by Patricia Kennedy Grimsted