

CAS

Certificate of Advanced Studies  
Certificat de formation continue

# International Cultural Heritage Law and Provenance Studies

September 2024 > December 2025

Blended high-level learning programme



FACULTY OF LAW  
ART-LAW CENTRE



UNIVERSITÉ  
DE GENÈVE



## Direction

- **Prof. Antoinette Maget Dominicé**, Faculty of Law, Art-Law Centre, University of Geneva; UNESCO Chair in the International Law of the Protection of Cultural Heritage

## Scientific Committee

- **Prof. Sévane Garibian**, Faculty of Law, University of Geneva
- **Marina Schneider**, Principal Legal Officer & Treaty Depository, International Institute for the Unification of Private Law (UNIDROIT)
- **Dr. Andrea F. G. Raschèr**, Raschèr Consulting, Zurich

## Coordination

- Art-Law Centre, University of Geneva

*Image: Université de Genève, Jacques Erard*



Combining theoretical knowledge with real-world perspectives, this unique programme aims at fostering an advanced understanding of the challenges and complexities of international cultural heritage law and provenance studies

Cultural heritage is at the crossroads of normative measures aimed at its protection, conservation, control of circulation and valorisation. These provisions are adopted at different levels and in different contexts, as they are reflected in legislation, as well as in political action plans, both in times of peace and conflict. Moreover, the digitisation of cultural heritage has added to the complexity, making both access and control even more fluid. What's more, the economic value attributed to some objects and the identity dimension embodied by others are fuelling tensions and giving rise to new obligations. The involvement in this nexus of state and private actors, as well as non-governmental groups and economic partners, multiplies expectations and interpretations. Finally, the dichotomy that exists between the visibility of certain due diligence requirements and the historical normative imprint of the power imbalances that have led - and continue to lead - to the movement of cultural goods makes the field particularly fraught. The new CAS programme aims to respond to the learning interest and needs of persons triggered by these and other legal and policy developments.

The CAS is taught by the specialists of the Art-Law Centre and of the UNESCO Chair in the International Law of the Protection of Cultural Heritage of the University of Geneva, the leading institution of higher learning in the field of art and cultural heritage law recognised all over the world, as well as leading academics and practitioners from different institutions, including universities (such as the University of Vienna and the University of Kent), international organisations (such as UNESCO and UNIDROIT), non-governmental and professional organisations (such as the Arbeitskreis Provenienzforschung).

This CAS is a unique and innovative programme that aims to provide **participants** with the skills to legally qualify past events and their consequences, as well as to work for the future, through knowledge of the means to fight illicit trafficking, the context of former pillages and make the better use of provenance research in particular, and the mechanisms of returns and reconciliation in cultural heritage restitution claims and destruction events. It also takes a transdisciplinary approach, training students in the tools and challenges of digital technologies. Participants acquire advanced knowledge in identifying situations, analysing and qualifying them in legal terms, and putting them into a practical perspective - important skills for their future careers and studies.



## Audience

- Practitioner of the art and cultural heritage sector who wants to enhance and update his/her knowledge and skills in response to the growing complexity of this sector,
- Practitioner employed in other fields (including officials and/or professionals in the public and private sectors, members of staff of international organisations, foundations and NGOs, human rights defenders and lawyers) who wants to shift his/her career trajectory toward the art and cultural heritage sector,
- University student (post-graduate) who wishes to gain a specialisation in order to start a career in the art and cultural heritage sector.

## Objectives

- Gain a specialisation in international cultural heritage law and provenance studies with a unique programme organised and taught by the specialists of the Art-Law Centre and of the UNESCO Chair in the International Law of the Protection of Cultural Heritage of the University of Geneva.
- Develop a high-level and critical understanding of the legal, political, historical, technical and philosophical considerations underpinning international debates on cultural heritage through the combination of innovative learning and teaching method.
- Meet and learn from leading practitioners, experts and academics from all over the world.
- Acquire the skills to gain employment in the art and cultural heritage sector or other related areas.



## Learning methods

- Face-to-face teaching by leading academics, experts and practitioners
- Distance-learning activities, including readings and writings
- Individual and collective presentations during dedicated working sessions
- Problem solving

## Programme structure

The **CAS in International Cultural Heritage Law and Provenance Studies** takes place over a period of 3 semesters (18 months) and will include 7 modules, which are built on a distinctive set of learning outcomes. These modules consist of face-to-face courses at the University of Geneva (UNIGE), which are preceded and followed by distance-learning activities. Full online attendance is possible.

Participants to the entire programme will receive 15 ECTS credits, for a total of 104 hours of teaching in person and 330 hours of distance learning and personal work.





## Module 1 | **International Cultural Heritage Law – An Overview**

**First semester | 13-14 September 2024 | 2 ECTS**

- 1. Introducing international cultural heritage law**
- 2. The actors in the realm of art and cultural heritage**

### Learning goals

Gain an overview of the international legal system and understand the mechanisms of international cultural heritage law; identify the different players of the art and cultural heritage sector, their roles and obligations.

### Learning outcomes

Learn the history of international cultural heritage law and the key definitions; understand the nexus in which international cultural heritage law has developed, by placing it in the history of general public international law; consider the link between the further branches of public international law and the place reserved for the human being; analyse the history of professional bodies and international institutions; address existing social biases in the normative system; perceive the articulation of texts, their temporality and the mechanisms of transposition.

### Learning schemes

- Preliminary readings on Moodle
- Two days of face-to-face teaching on site and online
- Staggered group work on Etherpad
- MCQ on Moodle as assessment



## Module 2 | **Legal Provenance Studies – An Introduction**

First semester | 15-16 November, 6 December 2024 | 2 ECTS

- 1. Provenance Studies as a discipline**
- 2. Legal dimensions of provenance research**

### Learning goals

Learn the history of provenance research as a discipline and understand the differences between methods, research and analyses; understand the legal challenges and constraints within provenance studies.

### Learning outcomes

Analyse the context within provenance studies and provenance research take place; delineate notions linked to the trajectories of cultural goods in international law; reflect on the challenges of legal translations and establish equivalences in one's field of work; identify requirements in terms of origin and provenance in national laws; analyse the articulation between law and ethics (codex); address questions related to the legal relationship between humans and objects.

### Learning goals

- Preliminary readings on Moodle
- Two days of face-to-face teaching on site and online
- Dedicated working session online
- Written assignment (max. 300 words) in form of a blog post on a selection of contemporary works of art to be submitted at the end of December 2024



## Module 3 | **Data Protection**

**Second semester | 14-15 February 2025 | 2 ECTS**

- 1. Data Protection**
- 2. Data Access**
- 3. Provenance's Data**

### Learning goals

Examine and discuss the role of data in provenance studies; distinguish the legal framework that has been established to protect different data and regulate their access and re-use regarding provenance.

### Learning outcomes

Understand what data is; appreciate the different types of data; understand the contexts and responsibilities of data protection and accessibility; be acquainted with the legislation of the most relevant jurisdictions (including France, Germany, Italy, Switzerland, United Kingdom and the United States); become familiar with the exceptions related to cultural institutions and those intended for provenance research; reflect the different types of openness and identify solutions to proprietary claims around data.

### Learning schemes

- Preliminary readings on Moodle
- Two days of face-to-face teaching on site and online
- One staggered discussion in an online forum on Moodle
- Written assignment (2000 to 3000 words, excluding table of contents, footnotes and bibliography) to be submitted by the end of the semester





## Module 4 | Archives

Second semester | 25-26 April 2025 | 1 ECTS

1. Archives as cultural heritage
2. Archives as research resources

### Learning goals

Study the legal framework dedicated to archives and understand the duality of archives as heritage and resources.

### Learning outcomes

Acquire the fundamentals of archival law in a selection of exemplary states; identify the particularities of the legal status of archives; reflect on the phenomena of patrimonialisation; understand the organisation of sources and their exploitation for legal purposes; address issues related to the succession of states; acquire skills in archival access and method.

### Learning schemes

- Preliminary readings on Moodle
- Two days of face-to-face teaching on site and online
- Blended exercise in paleography
- Two-folded written assignment consisting of legally contextualising an archival document and transcribing its content, to be submitted by the end of semester



## Module 5 | **Digital methods and tools**

**Second semester | 20-21 June 2025 | 3 ECTS**

- 1. Digitality and the law**
- 2. Digital methods and digital tools**

### Learning goals

Examine and discuss the legal, ethical and policy questions raised by digitalisation and digitisation of cultural heritage; learn how to consistently and skillfully use digital methods and resources.

### Learning outcomes

Address the legal issues related to the various databases useful in provenance research; understand the legal framework in which the digitisation of cultural heritage takes place, both in terms of the protection of assets and of the rights of the various rights holders; analyse the issues involved in digitising cultural assets and controlling access to them; know and understand the various existing methods in the digital humanities; question digital technology as a tool for safeguarding and creating cultural heritage.

### Learning schemes

- Preliminary readings on Moodle
- Two days of face-to-face teaching on site and online
- Blended exercise in digital methods
- Recorded presentation of a 10-minutes talk on a case study, to be submitted by the end of August 2025



## Module 6 | **Diligences and Circulations**

Third semester | 17-18 October, 31 October 2025 | 2 ECTS

- 1. Material and legal circulations**
- 2. Obligations and ethics**

### Learning goals

Explore the relationship between circulations and diligences both on the material and legal trajectories of cultural heritage; examine the interaction between law and memories.

### Learning outcomes

Understand the differences between physical and legal circulation; identify their complexity and limits; know how to reflect on the links between humans and objects in their trajectories; grasp the different categories of objects and due diligence required; consider the links between law and ethics on these issues.

### Learning schemes

- Preliminary readings on Moodle
- Two days of face-to-face teaching on site and online
- Blended visits of online exhibitions and dedicated online seminar (2 hours)
- MCQ on Moodle as assessment



## Module 7 | Provenance toward Futures

Third semester | 5-6 December 2025 | 3 ECTS

1. Restitution policies alternative resolutions procedures
2. Memorialisation and cultural heritage

### Learning goals

Explore the different ways to foster provenance studies in a prospective way.

### Learning outcomes

Understand the different ontologies involved in questions related to the provenance of cultural property; understand the role of the past in contemporary legislation and corrective mechanisms; grasp the discrepancies between existing norms on conservation, preservation and circulation control; understand the challenges of trans- and interdisciplinary research; comprehend memorialisation and its link to the future; know how to situate certain cultural and memorial policies; analyse the effects of memorial policies on the legislative process; address the issue of controversial heritages; gain an understanding of alternative conflict resolution mechanisms; analyse the effects of restorative justice on cultural heritage.

### Learning schemes

- Preliminary readings on Moodle
- Two days of face-to-face teaching on site and online
- Written assignment on a case law (4000 to 5000 words, excluding table of contents, footnotes and bibliography) to be submitted by the end of January 2026



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## Format

Blended learning: face-to-face teaching and distance-learning activities.  
Full online participation is possible.

## Assessment

Participants shall be evaluated based on different written assignment for each module. These are described in the Learning schemes of each module.

## Diploma awarded

Participants who successfully complete all 7 modules and meet the assessment requirements shall be awarded the **Certificate of Advanced Studies (CAS) in International Cultural Heritage Law and Provenance Studies / *Certificat de formation continue (CAS) en Droit international du patrimoine culturel et recherche de provenance*** by the Faculty of Law of the University of Geneva.



# BIENVENUE

## Practical information

### Admission criteria

Candidates shall:

- Hold a Master's or a Bachelor's degree in law from a University, a Master's or a Bachelor's degree in law from a University of Applied Sciences (HES), or a degree deemed equivalent and recognised by the University of Geneva;
- Exhibit their interest in participating in the CAS and;
- Have a sound command of English; candidates who are not native English speakers must be able to show that their English language ability is of a high enough standard to successfully engage with and complete the course via a recognised test (IELTS, TOEFL, etc.) or one or more degrees obtained following the completion of programmes taught in English.

### Registration online before 30 June 2024

[www.unige.ch/formcont/en/courses/cultural-heritage](http://www.unige.ch/formcont/en/courses/cultural-heritage)

Candidates shall submit the following documents:

- Curriculum vitae (in English or French);
- Cover letter explaining the interest to take part in the CAS (max. 500 words);
- Copy of the relevant degrees and qualifications;
- Copy of an ID (passport or national identity card);
- Passport photo (.jpg format).



### **Registration fees**

- CHF 5,300.- for the full programme
- CHF 800.- for each module

Some fellowships are offered under conditions (see [the programme website](#)).

### **Location**

University of Geneva, Switzerland

### **Schedule**

Courses will be held on Fridays and Saturdays, from 9:00 to 17:00 (including breaks), with a few exceptions as to the time.

### **Contact**

Art Law Center | [art-droit@unige.ch](mailto:art-droit@unige.ch) | T.: +41 (0)22 379 80 75



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## Collaboration



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Chair

UNESCO Chair in the International Law of the Protection of Cultural Heritage of the University of Geneva



International Institute for the Unification of Private Law (UNIDROIT)

## Related programmes at the University of Geneva

- Summer School on International Cultural Heritage Law
- *Diplôme de formation continue (DAS) en archéologie classique et en droit des biens culturels*