

EDITORIAL

Dear Reader,

We are pleased to present you with the latest issue of the biannual “Santander Art and Culture Law Review” (SAACLR) (2017, Vol. 3). The publication of this journal was initiated in 2015 as a part of the project entitled *Creating and Managing an Interdisciplinary Legal Journal Dealing with Culture-Related Issues*, founded by an individual grant of the Santander Group within the Programme Santander Universidades. The main objective of this project is to disseminate innovative research relating to current problems arising from the intersection of law, culture, and cultural heritage. The SAACLR is addressed to scholars, practitioners, non-governmental organizations, public authorities, and policy makers dealing with legislative approaches to the protection and management of cultural heritage. The journal is also aimed at students within a broad range of disciplines which encompass or touch upon the vast number of issues referring to art, cultural heritage, and law. Since 2017 the SAACLR has been published by the Jagiellonian University Press in Krakow (Poland). We have also invited many new reviewers, both academics and practitioners – renowned experts in heritage studies, human rights, and cultural heritage law and policy.

This issue of the SAACLR is, like the five previous ones, divided into eight sections: interviews, research articles, commentaries, varia, debuts, cultural heritage law and policy, events and conferences, and book reviews. It opens with a memorial to Professor Norman Palmer, a famous barrister and one of the doctrinal founders of cultural property law, and the inaugural editor of the “International Journal of Cultural Property” and co-editor of “Art Antiquity and Law”, who regrettably passed away last year.

We are committed to follow our general strategy of establishing a main leading theme for each issue of the journal. The first English issue of the SAACLR (2015, Vol. 2) was ded-

icated to the role of international law in the protection of cultural heritage in the event of armed conflicts and terrorism. In turn, the second English issue (2016, Vol. 2), prepared in cooperation with the consortium of the project HEURIGHT – *The Right to Cultural Heritage: Its Protection and Enforcement through Cooperation in the European Union* – was entirely devoted to the topic of the implementation and operationalisation of Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012 and the movement of cultural objects in the European Union. For the present issue, also compiled in cooperation with the consortium HEURIGHT, we chose the topic of *successes, problems, and challenges surrounding intangible cultural heritage ten years after the entry into force of the Convention for the Safeguarding of the Intangible Cultural Heritage (the 2003 Convention)*. For this purpose we invited two guest editors, renowned experts in the field: Hanna Schreiber from the University of Warsaw, Deputy President of the Polish Council for Intangible Cultural Heritage and the author of many publications on the safeguarding of intangible cultural heritage; and Lucas Lixinski from the University of New South Wales, the author of the first comprehensive monograph on the safeguarding of intangible cultural heritage in international law (Oxford University Press, 2013) and member of the Executive Committee of the Association of Critical Heritage Studies. In addition to their co-editing of this issue, they also offered introduction to the sections entirely devoted to the leading theme: interviews, research articles, and debuts.

The other sections of the issue are not directly related to the safeguarding of intangible cultural heritage. The two articles in the commentaries section deal with domestic cultural heritage law. Agnieszka Jachec-Neale examines the 2017 ratification by the United Kingdom of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols. Her article discusses both the process of ratification and its legislative outcome within the British legal system. The contribution by Luis Javier Capote Pérez offers a brief analysis of the public/private law divide in relation to the legal protection of cultural heritage in Spain. In particular, he explores and substantiates how and to what extent the general interest of the community in safeguarding and preserving cultural heritage, as provided by public law regulations and enforced by public administration, may limit the property rights of private owners of cultural assets. In turn, the *varia* section is entirely devoted to the new cultural heritage treaty of the Council of Europe: the Convention on Offences relating to Cultural Property, opened for signature on 19 May 2017. The article by Mateusz Maria Bieczyński focuses on the basic questions regarding the conditions of effectiveness of this treaty, the context of its adoption, and its envisaged consequences for the protection of cultural property.

As in the case of the former issues of our journal, this issue also offers a section dedicated to analysis of criminal threats to cultural heritage in Poland in 2017.

Olgierd Jakubowski examines the various types of crimes committed against cultural property, including theft and destruction, based on his analysis of the statistics from both the Polish police forces and Poland's border and customs services.

This is followed by a section containing reports and notices on the variety of events in the field of cultural heritage law and policy that occurred in 2016-2017. It also includes a call for papers for the next English issue of the SAACLR concerning the implementation of the agenda of the European Year of Cultural Heritage 2018. Last but not least, this issue also contains timely and pertinent book reviews.

We hope that you will enjoy this new issue of the "Santander Art and Culture Law Review". We encourage you to contact us (at: saacreditors@gmail.com), if you wish to reply to the call for papers, or just to express your opinion regarding the content of our volumes.

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