
Global Certificate in Cultural Heritage Law

* Cultural Heritage and Intellectual Property

****Berne Convention for the Protection of Literary and Artistic Works****

: A international agreement governing copyright, first adopted in 1886. It establishes minimum standards for copyright law among its members, which include most countries in the world. The Convention requires member countries to recognize the copyright of works originating in other member countries, and provides for automatic copyright protection for works, without the need for formal registration.

****Chapter II BioTrade Agreement****

: An agreement between the governments of Costa Rica, Colombia, and Guatemala, signed in 1999, promoting the sustainable use of biological resources through trade. The agreement establishes principles for the fair and equitable sharing of benefits arising from the use of genetic resources, and includes provisions on intellectual property rights.

****Code of Ethics for the Intangible Cultural Heritage****

: A set of guidelines adopted by UNESCO in 2003, providing a framework for the ethical management of intangible cultural heritage. The Code encourages respect for the cultural diversity and integrity of communities, and emphasizes the importance of community participation and consent in all aspects of heritage management.

****Collective Management Organizations (CMOs)****

: Organizations that manage the rights of multiple rightsholders, typically in the field of music or audiovisual works. CMOs collect royalties on behalf of their members, and distribute them according to the terms of their contracts.

****Cultural Expressions****

: The manifestations of the intellectual and artistic creativity of a community, as expressed in its traditions, customs, beliefs, and practices. Cultural expressions can take many forms, including language, literature, music, dance, visual arts, and crafts.

****Cultural Heritage****

: The legacy of physical artifacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present, and bestowed for the benefit of future generations. Cultural heritage includes both tangible and intangible elements, such as buildings, monuments, landscapes, traditional knowledge, and cultural practices.

****Cultural Intellectual Property (CIP)****

: The intellectual property rights associated with cultural expressions, such as traditional knowledge,

folklore, and cultural heritage. CIP includes both formal and informal systems of protection, such as copyright, trademarks, patents, and geographical indications.

****Cultural Property****

: The tangible and intangible heritage that has been officially recognized as having cultural, historical, or artistic value. Cultural property can include buildings, monuments, archaeological sites, artworks, and traditional knowledge.

****Customary Law****

: The traditional rules, practices, and beliefs that govern the behavior of a community, and are often passed down orally from one generation to the next. Customary law is an important source of intellectual property rights in many indigenous and local communities.

****Database Rights****

: The intellectual property rights that protect collections of data or databases, as distinct from the individual data elements themselves. Database rights can include rights of reproduction, distribution, and communication to the public.

****Deaccession****

: The process of removing an object from a museum or cultural institution's collection. Deaccessioning can be a controversial issue, as it can raise questions about the ownership, cultural significance, and ethical treatment of cultural heritage.

****Derivative Work****

: A new work that is based on or derived from an existing work, and that incorporates significant elements of the original work. Derivative works can include translations, adaptations, arrangements, and other forms of transformation.

****Digital Rights Management (DRM)****

: Technological measures used to control access to and use of digital content, such as music, videos, e-books, and software. DRM can include measures such as encryption, watermarking, and access controls, and is often used to prevent unauthorized copying, distribution, and use of digital content.

****Domain Name****

: The unique name that identifies a website or other internet resource, and that is used to access it through a web browser or other internet application. Domain names are typically registered and managed through domain name registrars, and are subject to intellectual property rights and legal regulations.

****Economic Rights****

: The intellectual property rights that provide the owner with the exclusive right to exploit a work commercially, such as the right to reproduce, distribute, and communicate the work to the public. Economic rights can be licensed or assigned to third parties, and are typically enforced through legal action.

****Endangered Languages****

: Languages that are at risk of extinction, due to factors such as globalization, urbanization, and language shift. Endangered languages are an important part of cultural heritage, and are often associated with traditional knowledge and cultural practices.

****Fair Use****

: A legal doctrine that allows limited use of copyrighted material without permission from the copyright owner, in certain circumstances such as for criticism, commentary, news reporting, teaching, scholarship, or research. Fair use is a complex and subjective concept, and is determined on a case-by-case basis.

****Folk Art****

: The traditional arts and crafts produced by communities for their own use and enjoyment, and that reflect their cultural identity and values. Folk art can include a wide range of media, such as textiles, ceramics, metalwork, and woodwork.

****Folklore****

: The traditional expressions, customs, beliefs, and practices of a community, as expressed in its oral traditions, music, dance, and other forms of intangible cultural heritage. Folklore is an important source of cultural identity and continuity, and is often associated with traditional knowledge and cultural practices.

****Genetic Resources****

: The genetic material of plants, animals, and microorganisms, and the knowledge and practices associated with their use. Genetic resources are an important source of biodiversity and cultural heritage, and are subject to legal regulations and intellectual property rights.

****Geographical Indications (GIs)****

: The intellectual property rights that protect the names and images of products that are closely associated with a particular geographical location, such as Champagne, Scotch whisky, or Darjeeling tea. GIs are designed to protect the reputation and quality of these products, and to prevent false or misleading claims of origin or affiliation.

****Global Certificate in Cultural Heritage Law****

: A professional development program that provides an in-depth understanding of the legal and ethical issues related to cultural heritage, intellectual property, and human rights. The program covers a wide range of topics, including cultural property, traditional knowledge, digital rights, and customary law, and is designed for professionals working in museums, cultural institutions, governments, and other organizations.

****Green Paper on Copyright****

: A policy document published by the European Commission in 2013, proposing a review of the European Union's copyright rules and regulations. The Green Paper outlines a number of challenges and opportunities related to copyright in the digital age, and invites comments and contributions from stakeholders and the public.

****Heritage Crime****

: The deliberate damage, destruction, or theft of cultural heritage, such as archaeological sites, museums, libraries, and other cultural institutions. Heritage crime can also include the illegal trade in cultural artifacts, and the falsification or alteration of cultural records.

****Human Rights****

: The fundamental rights and freedoms that belong to every person, regardless of their nationality, race, gender, religion, or other status. Human rights include civil and political rights, such as freedom of speech, religion, and assembly, as well as social, economic, and cultural rights, such as the right to education, health, and housing.

****Hybrid Publishing****

: A publishing model that combines elements of traditional publishing and self-publishing, and that allows authors to retain more control over the production, distribution, and marketing of their work. Hybrid publishing can offer authors greater flexibility and financial benefits, but also requires them to assume more responsibility and risk.

****Indigenous Knowledge****

: The traditional knowledge, practices, and beliefs of indigenous peoples, and that are closely associated with their cultural identity and way of life. Indigenous knowledge is an important source of biodiversity and cultural heritage, and is often transmitted orally from one generation to the next.

****Intangible Cultural Heritage****

: The practices, representations, expressions, and knowledge that communities, groups, and individuals recognize as part of their cultural heritage, and that are passed down from generation to generation. Intangible cultural heritage can include traditional music, dance, theater, storytelling, festivals, and rituals, as well as traditional knowledge, skills, and practices related to crafts, agriculture, and natural resource management.

****Intellectual Property (IP)****

: The legal rights that protect creations of the mind, such as inventions, literary and artistic works, symbols, names, images, and designs. Intellectual property includes both formal and informal systems of protection, such as patents, copyrights, trademarks, trade secrets, and traditional knowledge.

****International Council of Museums (ICOM)****

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