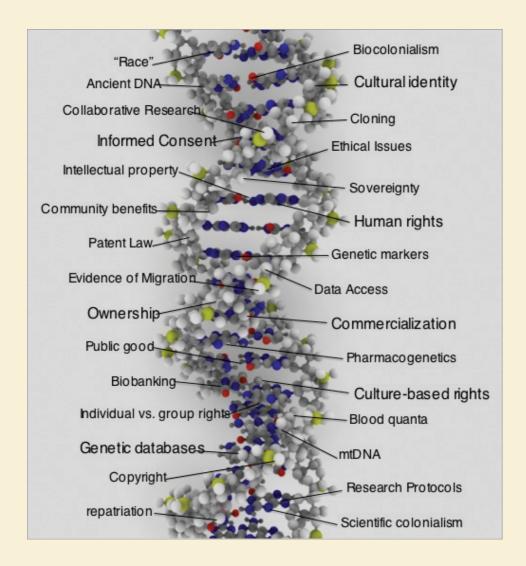
INTERNATIONAL JOURNAL OF

Cultural Property

VOLUME 16 2009 NUMBER 2



CAMBRIDGE

ISSN 0940-7391

Subscription Information: *International Journal of Cultural Property* (ISSN 0940-7391) is published quarterly in February, May, August, and November by Cambridge University Press for the International Cultural Property Society. Annual subscription rates for Volume 16 (2009): Institutional subscription rate, print and electronic: US \$325 in the U.S.A., Canada, and Mexico; UK £191 elsewhere. Institutional subscription rate, electronic only: US \$266 in the U.S.A., Canada, and Mexico; UK £157 elsewhere. Institutional subscription rate, print only: US \$299 in the U.S.A., Canada, and Mexico; UK £177 elsewhere. Individual subscription rate, print only: US \$82 in the U.S.A., Canada, and Mexico; UK £30 elsewhere. Single part rates, print only: US \$82 in the U.S.A., Canada, and Mexico; UK £49 elsewhere. Prices include surface postage.

Publishing, Advertising, and Subscription Offices: Cambridge University Press, 100 Brook Hill Drive, West Nyack, NY 10994-2133, USA (for USA, Canada, and Mexico); or Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU, England (for UK and elsewhere).

Society Inquiries: General inquiries concerning the International Cultural Property Society should be directed to Stanley N. Katz, Director, Center for the Arts and Cultural Policy Studies, Woodrow Wilson School, 428 Robertson Hall, Princeton University, Princeton, NJ 08544. Phone: 609-258-5637; fax: 609-258-1235; email: snkatz@princeton.edu

Rights and Permissions: All rights reserved. No part of this publication may be reproduced, in any form or by any means, electronic, photocopy, or otherwise, without permission in writing from Cambridge University Press. General enquiries from the USA, Mexico, and Canada should be addressed to the New York office of Cambridge University Press http://www.cambridge.org/us/information/rights/contacts/newyork.htm; general enquiries from elsewhere should be addressed to the Cambridge office http://www.cambridge.org/uk/information/rights/contacts/cambridge.htm; permission enquiries from Australia and New Zealand should be addressed to the Melbourne office http://www.cambridge.org/aus/information/contacts_melbourne.htm; enquiries regarding Spanishlanguage translation rights (only) should be addressed to the Madrid office http://www.cambridge.org/uk/information/rights/contacts/madrid.htm.

Photocopying information for users in the U.S.A.: The Item-Fee Code for the publication (0940-7391/09 \$15.00 + .10) indicates that copying for internal or personal use beyond that permitted by Sec. 107 or 108 of the U.S. Copyright Law is authorized for users duly registered with the Copyright Clearance Center (CCC) Transaction Reporting Service, provided that the appropriate remittance of \$15.00 per article is paid directly to CCC, 222 Rosewood Drive, Danvers, MA 01923. Specific written permission must be obtained for all other copying.

Abstracting Information: International Journal of Cultural Property is indexed and abstracted in Anthropological Literature; Art and Archaeology Technical Abstracts (Online Edition); ARTbibliographies Modern; Avery Index to Architectural Periodicals; Bibliography of the History of Art (BHA); British & Irish Archaeological Bibliography (Online Edition); IBZ—Internationale Bibliographie der Geistes- und Sozialwissenschaftlichen Zeitschriftenliteratur; Index to Foreign Legal Periodicals; Index to Legal Periodicals & Books; Internationale Bibliographie der Rezensionen Geistes- und Sozialwissenschaftlicher Literatur.

Copyright © 2009 International Cultural Property Society

Cover: Debates over the ownership and control over heritage, and what even constitutes heritage itself, has been expanding in all directions, and has recently begun to involve human DNA and the information encoded within it. This issue includes a paper dealing with heritage claims over ancient DNA (often termed "aDNA") and a special section debating the cultural heritage and property implications of the recent "Genographic Project" aimed at mapping the DNA of the world's ethnic groups. Cover image by George Nicholas. Provided with permission.

Cultural Property

VOLUME 16 (2009) NUMBER 2

Editor

Alexander A. Bauer, Queens College, CUNY, USA

Chronicles Editor

Kurt Siehr, *Universität Zürich*, *Switzerland* and *Max-Planck-Institut*, *Germany*

Case Notes Editor

Robert K. Paterson, Faculty of Law, University of British Columbia, Canada

Book Review Editor

Patrick J. O'Keefe, Australian National University, Australia

Associate Editors

Michael F. Brown, Williams College, USA

Stephanie Moser, *University of Southampton*, *UK*

Lyndel V. Prott, Australian National University, Australia

Madhavi Sunder, UC Davis School of Law, USA

Joe Watkins, *University of Oklahoma*, *USA*

Editorial Board

Gregory J. Ashworth, Rijksuniversiteit Groningen, Netherlands

Janet E. Blake, *University of Shahid Behehshti*, *Iran*

Michael Blakey, College of William and Mary, USA

Michael Cernea, George Washington University, USA

Clemency Coggins, Boston University, USA

María Luz Endere, Conicet and Universidad del Centro de la Provincia de Buenos Aires, Argentina

Pedro Paulo Funari, *Universidade* Estadual de Campinas, Brazil

Richard Handler, University of Virginia, USA

Thomas F. King, SWCA Environmental Consultants, USA

David Lowenthal, *University College* London, UK

Claire Lyons, Getty Museum, USA Lynn Meskell, Stanford University, USA

Editorial Research Assistant Deji Olukotun Elina Moustaira, Faculty of Law, University of Athens, Greece Dawson Munjeri, Delegation of Zimbabwe to UNESCO, Zimbabwe and France

Anila Naeem, NED University of Engineering and Technology, Pakistan

James A. R. Nafziger, Willamette University College of Law, USA

Hyung Il Pai, International Research Center for Japanese Studies, Japan

Jorge Sánchez Cordero, Mexican Center of Uniform Law, Mexico

Daniel Shapiro, President Emeritus, International Cultural Property Society, USA

Folarin Shyllon, Faculty of Law, Olabisi Onabanjo University, Nigeria

Samuel Sidibé, National Museum of Mali, Mali

Neil Asher Silberman, University of Massachusetts, Amherst, USA

Stephen K. Urice, Esq., University of Miami School of Law, USA

Alison Wylie, *University of Washington*, *USA*

Founder and Board Member Emeritus

John Henry Merryman, Stanford University Law School, USA

INTERNATIONAL Cultural Property SOCIETY

BOARD OF DIRECTORS

President

Derek Gillman Barnes Foundation, USA

Treasurer

Lawrence Rosen

Department of Anthropology, Princeton University, USA

Secretary

Stephen K. Urice University of Miami School of Law, USA

Vice-President

Stanley N. Katz
Center for Arts and Cultural Policy Studies,
Princeton University, USA

Talat S. Halman Center for Turkish Literature, Bilkent University, Turkey

Marc-André Renold Art-Law Centre, University of Geneva Law School, Switzerland

Kurt Siehr, Law School Universität Zurich, Switzerland and Max-Planck-Institut, Germany

> President Emeritus Daniel Shapiro

CONTENTS VOLUME 16 (2009) NUMBER 2

٨	R٦	ГΙ		П	F۷	
А	\mathbf{r}	ш	١.		Г.Э	

Property Rights of Ancient DNA: The Impact of Cultural Importance on the Ownership of Genetic Information	
Lisa M. Elliott	103
SPECIAL SECTION	
Decoding Implications of the Genographic Project for Archaeology and Cultural Heritage	
Edited by Julie Hollowell and George Nicholas	131
Introduction Julie Hollowell and George Nicholas	133
Decoding Implications of the Genographic Project for Archaeology and Cultural Heritage	
Convened by George Nicholas and Julie Hollowell	141
Response to Decoding Implications of the Genographic Project Spencer Wells and Theodore Schurr	183
Commentary Kimberly TallBear	189
Implications of the Genographic Project for Molecular Anthropologists Ripan Malhi	193
Science and Humanity	
Dorothy Lippert	195
Lessons from History Jonathan Marks	199
"Anti-colonial Genomic Practice?" Learning from the Genographic Project and the Chacmool Conference	
Jenny Reardon	205
Commentary on Implications of the Genographic Project	
Jane Anderson	213
Additional Recommended Readings	219