

SCHREINMOSER, Cristoph R., *Salvaguardar lo intangible: el Derecho Internacional ante la destrucción intencional del patrimonio cultural inmaterial*, Bosch Editor, Barcelona, 2025.

Can anyone imagine being prohibited from speaking their mother tongue with their family? From practicing their religion or visiting their places of worship, from going to the cemetery to honor their dead, from singing their traditional songs or listening to their music? From enjoying the theatre of their own culture, practicing their art or craftsmanship, celebrating their local festivals and rites, cooking their traditional dishes, or producing their customary herbal remedies? And, moreover, from transmitting their ancestral knowledge and wisdom to their children or to future generations? Provided that the rights of others are not violated and that no one's physical or moral integrity is endangered, one must ask: What is the problem with all of this?

When we speak of values in Europe, we usually think of those enshrined in Article 2 of the Treaty on European Union: human dignity, freedom, equality, democracy, the rule of law, and respect for human rights, which are principles intended to promote pluralism, non-discrimination, tolerance, justice, and solidarity. However, these values should by no means be confined to the European continent, as they are genuinely universal values, applicable in times of both peace and war. Nevertheless, we rarely associate these values with intangible cultural heritage: the practices, uses, traditions, celebrations, artistic expressions, or worldviews that shape the cultural identity of a people and provide their members with a deep sense of belonging and security. While it is already uncommon to link values to tangible cultural heritage, namely, physical assets such as monuments, works of art, or places of worship, it is even less frequent to relate them to the intangible. Yet it is precisely this intangible heritage that gives meaning to communal life and to the way in which a human group understands and experiences the world. Intangible cultural heritage ultimately constitutes the legacy that a family, a community, or a people transmits to future generations once those who embodied it are no longer present.

In his work *Safeguarding the Intangible: International Law in the Face of the Intentional Destruction of Intangible Cultural Heritage*, published by Bosch Editor with the sponsorship of the Salvador de Madariaga University Institute of European Studies of the University of A Coruña and the Xunta de Galicia, Christoph R. Schreinmoser addresses this essential aspect of social life through a cartesian and rigorously logical approach. Intangible cultural heritage, the author argues, helps define a group as a people and enables individuals to identify with their community and to relate to it with confidence and stability. This is a field that is often ignored or undervalued, whose importance becomes fully apparent only when it is lost or denied, at which point it reveals itself as fundamental to personal existence, to having points of reference, and to social interaction. Schreinmoser further demonstrates that intangible cultural heritage is directly connected to human dignity and, by extension, to human rights, making its protection and preservation a key issue for the future of peoples and for preventing their forced assimilation into dominant majorities.

The book raises and analyzes fundamental questions: how do International Humanitarian Law, International Human Rights Law, and International Criminal Law protect intangible cultural heritage against its intentional destruction? Do international treaties and soft law instruments provide sufficient protection? Is a clear distinction made between tangible and intangible cultural heritage? Have the Geneva Conventions and their Additional Protocols addressed this issue? Has UNESCO done enough in this field? Can the International Criminal Court prosecute the intentional destruction of intangible heritage as an international crime? Could such destruction be considered a form of cultural genocide? Have United Nations human rights bodies and committees addressed intangible heritage, or have they focused exclusively on tangible heritage? Is protection more effective at the regional level than at the universal one?

Schreinmoser offers far more than is usually expected from a scholarly work. Academic books are generally expected to be formative, analytical, and clarifying, and this work undoubtedly fulfils those expectations. But, in addition, it proves to be surprisingly engaging, perhaps due to its close connection with the world of culture. Although it is a legal study, it is also a cultural and anthropological work. The author presents his arguments in an objective and neutral manner, without emotional excess, yet with a clear, orderly and highly readable style. Through solid and well-structured reasoning, he demonstrates that intangible cultural heritage is a matter of International Law and that its intentional destruction entails legally relevant consequences within this field. The numerous and carefully selected examples included in the book help to grasp the true scope of the problem and allow the conclusions to emerge logically from the cases examined.

The author operates in a relatively novel field, in which he acts as something of a pioneer and in which he has also had to rely on legal imagination to identify practices that lead to the destruction of intangible cultural heritage, such as removing children from their communities to prevent the intergenerational transmission of their own culture. Schreinmoser also demonstrates considerable cultural expertise by identifying practices in highly diverse contexts, ranging from Afghanistan to China, Timbuktu, and Indigenous peoples of the Americas or Australia. Another merit of the work lies in its creative character, as a substantial part of the analysis is based on the author's own observation and personal interpretation of the provisions of international conventions that are directly or indirectly applicable. His interpretation of fundamental legal concepts and principles for safeguarding intangible heritage is autonomous, rigorous and persuasive.

In conclusion, the author reviews, selects, identifies, analyses, argues, and interprets, ultimately reaching conclusions that are both reasonable and well substantiated. While he shows that intangible cultural heritage does not currently enjoy the level of protection it deserves under International Law in general, nor within any of its specific branches, he also convinces the reader that a distinct branch of International Law devoted to cultural heritage already exists, one whose ultimate foundation lies in human dignity. Above all, Cristoph R. Schreinmoser makes clear that this is not a secondary or expendable issue, but rather a central one for preserving the rights, idiosyncrasy, and way of life of human groups: the cultural heritage transmitted from parents to children, in which cultural rights are manifested in both tangible and intangible forms.

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