

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Resolution 379 (2015)<sup>1</sup> Jewish cemeteries, the responsibility of local authorities

The Congress of Local and Regional Authorities of the Council of Europe,

1. Referring to Report 12930 of the Parliamentary Assembly of the Council of Europe<sup>2</sup> on Jewish cemeteries, which highlights the latter's holy nature as part of the European cultural heritage, condemns the desecration of graves and holy sites including those of other religions, underlines that they should not be left uncared for and gives examples of good practice in this sphere, on some of which local and regional authorities could base their policies and activities;

2. Considering Parliamentary Assembly Resolution 1883 (2012)<sup>3</sup> on Jewish cemeteries, which invites the Congress to take account of its resolution and to promote co-operation between local and regional authorities, which are generally responsible for cemeteries;

3. Bearing in mind the right to freedom of religion and religious expression, which should entail the protection of human dignity and the preservation of the deceased persons in a manner compatible with their religion;

4. Emphasising that this resolution, adopted in response to Parliamentary Assembly Resolution 1883 (2012) on Jewish cemeteries, could apply, *mutatis mutandis*, to other religious communities;

5. Resolves that:

*a.* Jewish cemeteries should be considered to be part of our common European cultural heritage as their preservation provides useful evidence of our history, whether or not there are currently Jewish populations living nearby;

*b.* local and regional authorities have a role to play in the protection, preservation, enhancement, management and maintenance of these burial sites as they are part of local history;

*c.* local authorities should be encouraged to take the necessary steps within their responsibilities for their protection and preservation over the long term.

6. In the light of the above, the Congress invites the local authorities of Council of Europe member States to:

*a.* promote the protection and preservation of holy Jewish burial sites, for example by ensuring that urban planning and development projects are supervised in order to avoid the violation or deterioration of those sites, and also by creating, when possible, protection areas around these sites;

*b.* engage in dialogue with the representatives of Jewish communities so as to be able to understand their expectations where the protection of holy Jewish sites is concerned;

*c.* set up partnerships or co-operation projects with interested Jewish organisations and/or heritage preservation associations in order to carry out projects and programmes as listed in paragraph 9.4 of Parliamentary Assembly Resolution 1883 (2012);

*d.* draw on the Council of Europe Framework Convention on the Value of Cultural Heritage for Society (CETS No. 199, the "Faro Convention") to define and introduce policies to "enhance the value of the cultural heritage through its identification, study, interpretation, protection, conservation and presentation" (Article 5b);

*e.* encourage their national authorities to accede to the Council of Europe's Enlarged Partial Agreement on Cultural Routes<sup>4</sup> so as to enable local and regional authorities to get involved therein, *inter alia* through the opportunity to participate in the European Route of Jewish Heritage.

7. The Congress considers that these provisions apply under the same terms to the cemeteries of all other religious communities.

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1. Debated and approved by the Chamber of Local Authorities on 25 March 2015 and adopted by the Congress on 26 March 2015. 3rd Sitting (see Document CPL/2015(28)2FINAL, explanatory memorandum), rapporteur: John Warmisham, United Kingdom (L, SOC).

2. Adopted by the Committee on Culture, Science, Education and Media on 24 April 2012: <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=18710&Language=en>.

3. Adopted by the Standing Committee, acting on behalf of the Assembly, on 25 May 2012: <http://www.assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=18723&lang=EN>.

4. <http://conventions.coe.int/Treaty/EN/PartialAgr/Html/CulturalRoutesStatute.htm>.