

UNIVERSAL CODE ON HOLY SITES

PREAMBLE

We, the undersigned signatories, representing the world's religious traditions from all regions of the globe, **Resolved** to cooperate in the spirit of dialogue and a search for common ground, based on respect for each other, for the freedom of thought, conscience and religion, and for the integrity of each religious tradition,

Sharing the vision of a world where holy sites are universally acknowledged as sacred to their respective religions or faith traditions, and where the attachment of persons and communities to their holy sites is respected by everyone, regardless of their belief,

Acknowledging that holy sites have been foci of contention or targets of destruction in many conflicts around the world, and bearing in mind the particular vulnerability of the holy sites of religious minorities,

Seeking to set out a framework of principles for preserving holy sites, guaranteeing the religious freedom to use them, and promoting them as places of peace, harmony and reconciliation,

Recognising the positive role religious leaders can play in addressing conflicts pertaining to holy sites, and reaffirming the moral responsibility to speak up for the protection of the holy sites of others, regardless of religion,

Building on international conventions and norms that safeguard the freedom of religion or belief and other human rights, preserve cultural heritage, and safeguard civilians in armed conflicts,

We solemnly pledge to respect, work towards the realisation throughout the world, and call for the endorsement of the following:

PROVISIONS

Article 1. Definitions

For the purposes of this Code, holy sites are understood as places of religious significance to particular religious communities. They include, but are not limited to, places of worship, cemeteries and shrines, incorporating their immediate surroundings when these form an integral part of the site.

For the purposes of this Code, holy sites are places of defined and limited area that are designated as such by each religious community and in agreement with the relevant public authorities, according to its diverse heritages and customs, recognising also that a single site can be sacred to more than one community.

Article 2. Preservation of holy sites

Holy sites shall be preserved for present and future generations, with dignity, integrity and respect for their name and identity. They shall be preserved both as sites of religious significance, and as historical, cultural and ecological legacies of their communities and of humankind. They shall not be desecrated or damaged, nor shall religious communities be forcibly deprived of their holy sites.

Where necessary to ensure the preservation of a holy site, the relevant authorities¹ should consider establishing a protective zone around it, prohibiting or restricting construction or development, without prejudice to property rights.

If a holy site is subjected to certain restrictions due to its designation as a national heritage site, these should not be such as to unduly limit its continued functioning as a holy site under these restrictions.

Article 3. Access

The access of any person to a holy site shall be subject only to such restrictions as are mandated by religious regulations pertaining to the site, or are necessary for its protection and the safe and undisturbed conduct of worship. Anyone given access to holy sites should do so with respect to the nature, the purpose and the ethos of the respective site.

The civil authorities shall not arbitrarily prohibit the entry into the country of visitors and pilgrims to holy sites, nor arbitrarily prohibit the presence of foreign personnel who hold specific roles related to the sites.

Article 4. Sites sacred to more than one religion

Where a site is mutually recognised as sacred in the established traditions of more than one religious community, the relevant authorities shall consult with these communities to set up a legal arrangement whereby adherents of each community are ensured access to the site for religious purposes and preservation of the site is the equal responsibility of the religious communities concerned.

¹ For the purposes of this Code, the term 'relevant authorities' refers to authorities (e.g. religious, political, military, legal, etc. depending on the specific location) that may be involved in decision-making concerning a holy site.

Article 5. Conflict prevention and resolution

All conflicts or threats relating to holy sites shall be referred immediately to a forum ensuring communication and coordination among religious authorities and other relevant bodies, and, where possible, to a monitoring body set up to this end under Article II (Monitoring bodies) of this Code.

Article 6. Reconstruction and memorialisation

The relevant authorities shall take measures to facilitate the reconstruction or memorialisation of a holy site destroyed or damaged by physical violence, according to the wishes of the religious community concerned.

The necessary permissions to this end shall be granted, as prescribed by law and with due regard to property rights, without undue delay, and without imposing special legal or administrative obstacles.

Article 7. Expropriation or nationalisation

In the case of proposed expropriation or nationalisation of any part of a holy site, the religious community or communities concerned shall be adequately represented and formally consulted on all aspects of the process. The relevant authority shall make an impact assessment suggesting provisions for the protection of cultural heritage, for the appropriate use of the site with respect for its religious tradition, and for the continuity of religious practice. The religious community shall have recourse to the courts if agreement cannot be reached.

Where parts of a holy site have been nationalised in the past, the restitution of such property to the religious community should be encouraged.

Article 8. Education and public speech

In their public pronouncements and educational activities, all parties should promote the preservation of holy sites, acknowledge the significance of holy sites of others as places of worship and sites of identity, respect the sensitivities of others with regard to these sites, and stress their spiritual value rather than any strategic, territorial or military significance. The attachment of a group to its holy site shall not be denied.

Religious communities shall be consulted regarding the public promotion of their holy sites for touristic, scientific, educational and other purposes. Such promotion shall respect the identity and religious traditions of the community concerned.

Article 9. Establishing holy sites

The right of all religious communities to establish and maintain existing holy sites, with due regard to the rights of others, and after due process, shall be recognised as an integral part of the freedom of religion or belief.

An occupying power shall not establish nor allow the establishment of any permanent new holy site without due regard for the property and other recognised rights of the population of an occupied territory.

Article 10. Excavations and research

Archaeological excavations may be carried out on holy sites only after consultation and with the mutual agreement of the recognised authorities of all religious communities to which the site is sacred, as prescribed by law, and with minimal interference with the religious use of the site.

Historical findings regarding the distant past of a site shall not prejudice present arrangements of ownership and control, nor shall they be abused to question a religious community's customary identification with the site.

IMPLEMENTATION AND MONITORING

Article 11. Monitoring bodies

Monitoring bodies shall be established to oversee the implementation of this Code on local, regional, or national levels as appropriate.

A monitoring body shall comprise authorised representatives of religious communities, public authorities, and other relevant bodies. Its members shall pledge to abide by this Code and to use their influence and good offices, separately or jointly, to further its aims.

A monitoring body shall, inter alia,

- Draw up a list of holy sites to be acknowledged as falling under the provisions of this Code.
- Consider, at the request of any of its members, any threat to the aims of this Code or any dispute over the status of a site, and seek to resolve it in a spirit of dialogue, reconciliation, and solidarity.
- Advise the authorities as appropriate on all issues relating to holy sites.
- Publicise regular reports on its work and the progress made toward the implementation of this Code in its area.

Article 12. International monitor

An international mechanism shall be set up to monitor the implementation of this code. This international monitor is charged with promoting the adoption of this Code in all relevant fora, cooperating with relevant international agencies, encouraging the establishment of monitoring bodies, assisting the monitoring bodies in their work, documenting and analysing progress toward the implementation of this Code worldwide, and reporting on violations of the Code.

A secretariat shall be set up to carry out the tasks of the international monitor on an interim basis until a permanent international monitor is established.