



## Resolution 1883 (2012)<sup>1</sup>

# Jewish cemeteries

Parliamentary Assembly

1. The Parliamentary Assembly recalls the historical contribution made by Jewish communities to creating the social, cultural and economic fabric of Europe and underlines the importance of preserving the religious, historical and cultural identity of Jewish communities.
2. The Assembly asserts the importance of freedom of religion and religious expression and upholds the right to rest in peace, interpreted as a specific aspect of the right to respect for private and family life, guaranteed by Article 8 of the European Convention on Human Rights (ETS No. 5). The Assembly considers that there is a responsibility to protect human dignity in a broader sense by ensuring that deceased persons are preserved in their place of burial in a manner compatible with their religion.
3. Jewish cemeteries and mass graves (hereafter “burial sites”) are part of Europe’s cultural heritage. The Council of Europe Framework Convention on the Value of Cultural Heritage for Society (CETS No. 199, “Faro Convention”) establishes an important link between the protection of fundamental rights and heritage protection and affirms a “common European responsibility” towards cultural heritage, which embraces not only the exceptional, but also the commonplace heritage and the values attached to it.
4. The Jewish people’s tragic history led to the extermination, exodus or resettlement of many local communities. While there are often traces of former cemeteries in towns and villages that have lost their Jewish populations, their preservation and protection are under constant threat.
5. The Assembly notes that damage suffered by Jewish burial sites in Europe is not confined to the desecration of graves, but is very often the result of inadequate management, lack of funding, the disregard of protective measures, inadequate town planning or the misuse of property.
6. Moreover, the legal status of Jewish burial sites is complex, given the variety of legal situations in which both these sites and Jewish communities find themselves in different European countries. It may also be the case, particularly in central and eastern Europe, that a specific legal status has simply been disregarded or overlooked following the important changes in the political systems.
7. The Assembly, however, also draws attention to positive examples of joint efforts to protect and preserve Jewish burial sites that have been undertaken by local and international, Jewish and non-Jewish organisations in co-operation with local authorities throughout Europe. These efforts demonstrate a wish to foster an awareness of and draw lessons from history, and a determination to share common responsibility for preserving this heritage.
8. A European Route of Jewish Heritage – established under the auspices of the Council of Europe Enlarged Partial Agreement on Cultural Routes – creates opportunities and incentives for the protection and restoration of Jewish heritage, including burial sites, in the framework of its overall objective to contribute to the spiritual and historical restoration of destroyed Jewish communities and to enhance knowledge about Europe’s history.

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1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 May 2012 (see [Doc. 12930](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Mr de Bruyn).

9. The Assembly therefore recommends that the member States of the Council of Europe:
  - 9.1. sign, ratify and implement the Faro Convention;
  - 9.2. join the Council of Europe Enlarged Partial Agreement on Cultural Routes and, where appropriate, its European Route of Jewish Heritage, which provides an excellent framework for concerted action nationally and internationally;
  - 9.3. review, as required, national legal, financial and professional frameworks, in order that:
    - 9.3.1. relevant regulations, such as town planning, take account of specific conservation requirements;
    - 9.3.2. effective controls of local development projects avoid violation of Jewish burial sites;
    - 9.3.3. decisions about changes to these sites take due account of Jewish cultural and religious values and traditions;
  - 9.4. in partnerships with relevant local authorities and interested Jewish organisations, such as the Committee for the Preservation of Jewish Cemeteries in Europe and the Agudath Israel World Organization, develop initiatives to enhance the management, maintenance, preservation and restoration of Jewish burial sites and, in particular:
    - 9.4.1. encourage joint action between public authorities and relevant stakeholders, such as experts, academics, public and private archives, businesses and non-governmental organisations;
    - 9.4.2. identify and collect best practices, and draw up national guidelines;
    - 9.4.3. organise programmes for locating Jewish burial sites, using non-invasive technical devices (such as ground-penetrating radar) and facilitate technical investigations and identification of sites;
    - 9.4.4. establish and keep up to date virtual libraries of the sites, with maps, photographs and testimonies;
    - 9.4.5. promote knowledge of local history and Jewish cultural heritage as part of local development strategies;
    - 9.4.6. raise local communities' awareness of the urgent need to preserve sites that are in danger of desecration, damage or disappearance;
    - 9.4.7. initiate or encourage pilot projects involving schools and local associations in building protective walls, taking part in cemetery maintenance, consulting local archives, "adopting" cemeteries, etc.;
  - 9.5. co-operate with the Council of Europe to:
    - 9.5.1. develop practical tools to promote the implementation of the Faro Convention, such as participatory mechanisms to involve heritage communities in the protection, restoration, maintenance and transmission of local cultural and religious heritage;
    - 9.5.2. exchange best practices and develop common guidelines for the protection of Jewish heritage, including Jewish burial sites;
    - 9.5.3. promote, in co-operation with local and international Jewish organisations, learning about Jewish history, with a particular focus on the positive contribution of Jewish individuals, communities and culture to European societies, and their role in local and national history.
10. The Assembly invites the Congress of Local and Regional Authorities of the Council of Europe to take account of the present resolution and to promote co-operation between local and regional authorities in this respect.
11. The Assembly invites the European Union to co-operate with the Council of Europe to support the effective implementation of the Faro Convention and to develop guidance and financial incentives for the protection and preservation of Jewish heritage sites in the framework of the Council of Europe Enlarged Partial Agreement on Cultural Routes.