

108TH CONGRESS
1ST SESSION

S. CON. RES. 32

Expressing the sense of Congress regarding the protection of religious sites
and the freedom of access and worship.

IN THE SENATE OF THE UNITED STATES

APRIL 2, 2003

Mr. GRAHAM of South Carolina (for himself, Mr. INHOFE, Mr. SANTORUM, Mr. BUNNING, Mr. NICKLES, Mr. CRAIG, and Mr. CRAPO) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress regarding the protection of religious sites and the freedom of access and worship.

Whereas throughout time various groups have felt special attachment to places that they considered sacred and holy, and the sacred texts of the great historical religions include accounts of specific places where individuals or groups experienced significant encounters with God;

Whereas holy places create a memory of these encounters with the divine and are a part of the character of every religious tradition;

Whereas holy places are as much a common feature of the religious traditions of humanity as are sacred time, ceremonies, and prayer;

Whereas one of the results of the identification of locations as sacred is that these places can become the focus for the tensions between the members of different religious communities;

Whereas a place that is considered holy by one group can come to be claimed by adherents of another tradition, and as a result holy places can become the source of conflict as much as of spiritual expression;

Whereas when religious communities tragically fall into estrangement or antagonism, the holy places of each community often become the target of violence or vengeance instead of veneration and reverence, and people act out their contempt and anger through occupation, desecration, and destruction;

Whereas the location of many holy sites of the three main monotheistic religions are located in the State of Israel and in the Palestinian territory;

Whereas this region is especially important to the followers of Judaism, Islam, and Christianity, and many visitors from around the world travel to these sites for personal and religious inspiration;

Whereas under British control the Palestine Mandate of 1922 contained a number of provisions ensuring freedom of religion and conscience and protection of holy places, as well as prohibiting discrimination on religious grounds;

Whereas the Palestine Order in Council of that same year provided that “all persons . . . shall enjoy full liberty of conscience and free exercise of their forms of worship, subject only to the maintenance of public order and morals” and “no ordinance shall be promulgated which shall

restrict complete freedom of conscience and the free exercise of all forms of worship.”;

Whereas these provisions of the Mandate and the Palestine Orders in Councils have been recognized in the Israeli legal system and are instructive of Israeli policy in safeguarding freedom of conscience and religion;

Whereas the Israeli Declaration of Independence of 1948 is another legal source that guarantees freedom of religion and conscience, and equality of social and political rights irrespective of religion;

Whereas this document states “the State of Israel . . . will be based on freedom, justice, and peace as envisaged by the Prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race, or sex; it will guarantee freedom of religion, conscience, language, education, and culture.”;

Whereas this document expresses Israel’s vision and its credo, and adherence to these principles is guaranteed by law;

Whereas each religious community within Israel is free to exercise its faith, observe its own holy days and weekly day of rest, and administer its own internal affairs;

Whereas the Israeli Protection of Holy Places Law of 1967 states that freedom of access and worship is ensured at all places of worship and religious significance;

Whereas this law states “the Holy Places shall be protected from desecration and any other violation and from anything likely to violate the freedom of access of members of the various religions to the places sacred to them, or their feelings with regard to those places.”;

Whereas Israel has worked to abolish discriminatory laws and adopt standards of safeguarding access to holy sites;

Whereas in the past fifty-five years Israel has striven to assure the safety of all religions;

Whereas the holy sites in Israel and Palestinian regions should be protected from desecration and any other violation;

Whereas two years ago, in Nablus, the Tomb of Joseph was ransacked and set on fire on live television, and in retaliation a group twice attempted to burn a mosque in the center of Tiberias;

Whereas these actions were followed by attempts to destroy an ancient Jewish synagogue in Jericho;

Whereas last spring, during the Easter season, heavy unrest in the West Bank resulted in a stalemate between Israeli soldiers and over 100 Palestinian fighters in the Church of the Nativity in Bethlehem; and

Whereas this deadlock lasted over a month and prevented anyone from visiting this church of great historical and religious importance: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring),*

3 **SECTION 1. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) holy sites around the world, particularly in
6 the Israeli and Palestinian region, should be pro-
7 tected from desecration and any other violation;

13 (5) we should condemn all violence directed
14 against holy sites.

15 SEC. 2. DEFINITION OF HOLY SITE.

16 As used in this resolution, "holy site" means a his-
17 toric location specifically set apart for religious purposes.

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