

No. 30925

**ISRAEL
and
HOLY SEE**

**Fundamental Agreement (with additional protocol). Signed at
Jerusalem on 30 December 1993**

Authentic texts: Hebrew and English.

Registered by Israel on 27 April 1994.

**ISRAËL
et
SAINT-SIÈGE**

Accord de base (avec protocole additionnel). Signé à Jérusalem le 30 décembre 1993

Textes authentiques : hébreu et anglais.

Enregistré par Israël le 27 avril 1994.

FUNDAMENTAL AGREEMENT¹ BETWEEN THE HOLY SEE AND THE STATE OF ISRAEL

Preamble

The Holy See and the State of Israel,

Mindful of the singular character and universal significance of the Holy Land;

Aware of the unique nature of the relationship between the Catholic Church and the Jewish people, and of the historic process of reconciliation and growth in mutual understanding and friendship between Catholics and Jews;

Having decided on 29 July 1992 to establish a "Bilateral Permanent Working Commission", in order to study and define together issues of common interest, and in view of normalizing their relations;

Recognizing that the work of the aforementioned Commission has produced sufficient material for a first and Fundamental Agreement;

Realizing that such Agreement will provide a sound and lasting basis for the continued development of their present and future relations and for the furtherance of the Commission's task,

Agree upon the following Articles:

Article 1

§ 1. The State of Israel, recalling its Declaration of Independence, affirms its continuing commitment to uphold and observe the human right to freedom of religion and conscience, as set forth in the Universal Declaration of Human Rights and in other International Instruments to which it is a party.

§ 2. The Holy See, recalling the Declaration on Religious Freedom of the Second Vatican Ecumenical Council, "*Dignitatis humanae*", affirms the Catholic Church's commitment to uphold the human right to freedom of religion and conscience, as set forth in the Universal Declaration of Human Rights and in other International Instruments to which it is a party. The Holy See wishes to affirm as well the Catholic Church's respect for other religions and their followers as solemnly stated by the Second Vatican Ecumenical Council in its Declaration on the Relation of the Church to Non-Christian Religions, "*Nostra aetate*".

Article 2

§ 1. The Holy See and the State of Israel are committed to appropriate cooperation in combatting all forms of antisemitism and all kinds of racism and of religious intolerance, and in promoting mutual understanding among nations, tolerance among communities and respect for human life and dignity.

¹ Came into force on 10 March 1994, the date of the last notification of ratification, in accordance with article 15.

§ 2. The Holy See takes this occasion to reiterate its condemnation of hatred, persecution and all other manifestations of antisemitism directed against the Jewish people and individual Jews anywhere, at any time and by anyone. In particular, the Holy See deplors attacks on Jews and desecration of Jewish synagogues and cemeteries, acts which offend the memory of the victims of the Holocaust, especially when they occur in the same places which witnessed it.

Article 3

§ 1. The Holy See and the State of Israel recognize that both are free in the exercise of their respective rights and powers, and commit themselves to respect this principle in their mutual relations and in their cooperation for the good of the people.

§ 2. The State of Israel recognizes the right of the Catholic Church to carry out its religious, moral, educational and charitable functions, and to have its own institutions, and to train, appoint and deploy its own personnel in the said institutions or for the said functions to these ends. The Church recognizes the right of the State to carry out its functions, such as promoting and protecting the welfare and the safety of the people. Both the State and the Church recognize the need for dialogue and cooperation in such matters as by their nature call for it.

§ 3. Concerning Catholic legal personality at canon law the Holy See and the State of Israel will negotiate on giving it full effect in Israeli law, following a report from a joint subcommittee of experts.

Article 4

§ 1. The State of Israel affirms its continuing commitment to maintain and respect the "Status quo" in the Christian Holy Places to which it applies and the respective rights of the Christian communities thereunder. The Holy See affirms the Catholic Church's continuing commitment to respect the aforementioned "Status quo" and the said rights.

§ 2. The above shall apply notwithstanding an interpretation to the contrary of any Article in this Fundamental Agreement.

§ 3. The State of Israel agrees with the Holy See on the obligation of continuing respect for and protection of the character proper to Catholic sacred places, such as churches, monasteries, convents, cemeteries and their like.

§ 4. The State of Israel agrees with the Holy See on the continuing guarantee of the freedom of Catholic worship.

Article 5

§ 1. The Holy See and the State of Israel recognize that both have an interest in favouring Christian pilgrimages to the Holy Land. Whenever the need for coordination arises, the proper agencies of the Church and of the State will consult and cooperate as required.

§ 2. The State of Israel and the Holy See express the hope that such pilgrimages will provide an occasion for better understanding between the pilgrims and the people and religions in Israel.

Article 6

The Holy See and the State of Israel jointly reaffirm the right of the Catholic Church to establish, maintain and direct schools and institutes of study at all levels; this right being exercised in harmony with the rights of the State in the field of education.