



Response

January 6th, 2016

Comprehensive Agreement

On 2nd January, the Holy See/Vatican announced that the Comprehensive Agreement between the Holy See and the State of Palestine had come into effect as from that date. The Comprehensive Agreement had been signed on 26th June 2015 and is testimony, as Archbishop Gallagher of the Vatican's Secretariat of State said 'of the good relations between the two parties which has existed for some time.' The Agreement consists of a Preamble and 32 articles grouped under 8 chapters highlighting and regulating important aspects of the life of the Church, stressing the need for a negotiated settlement and continued support for a two state solution. Beyond the significance of the Agreement for Palestine, international observers have hailed it as an important formula for working out the way in which the church and civil authorities can work together to ensure the common good of the people of the territory; especially where particular religious groups might be a minority. As such, it is seen as a significant document on several levels.

The Agreement follows on the Basic Agreement between the Holy See and the Palestinian Liberation Organisation signed in February 2000, which contained in embryo many of the agreements reached in this document. It is important to note though that this latest Agreement is with the State of Palestine thus confirming the Vatican's acknowledgement of the status of Palestine as a state in line with the Resolution of the General Assembly on 29th November 2012. The resolution in effect conferred a status similar to that of the Vatican at the United Nations: as a non-member Observer State of the United Nations. Interestingly, over the years the language of the Vatican has moved from references to the Palestinian people to the Palestinian Authority and then in Bethlehem Pope Francis referred to his hosts as the State of Palestine.

At the heart of the Agreement is the desire that the aspirations of the Palestinian people be realised through negotiation and agreement in order also to ensure peace and security for all people in the region on the basis of international law and the relevant United Nations and Security Council resolutions. In the speeches accompanying the signing of the Agreement the commitment to searching out and serving the common good in Palestine and the region was emphasised repeatedly.

It is also clear from the Agreement that the Church has not sought a privileged status but basically seeks to ensure that the worship and ritual practises of the Christian community would be safeguarded as would the work which the Church carries out in the charitable, educational, communications and social domains. It speaks to protection of Church property, the right of the Church to self-organisation and respect for its internal order. The key to interpreting the Agreement lies in understanding it in the context of the human rights tradition and especially in seeing it as an attempt to guarantee human dignity and the core values of the freedom of conscience and the freedom of religion. Notable also is

the right to conscientious objection. There is an exemption clause for clergy from compulsory military service.

Consistent with the broad human rights background, notions of self-determination, freedom, a dialogical approach to conflict resolution with an emphasis on a negotiated settlement, the right to political participation, tolerance and sensitivity to minority protections. In a special way, it refers to the unique religious significance and spiritual traditions pertaining to Jerusalem. It also makes clear that the preferred approach to peace negotiations is that it be worked out between the major parties with outside influence being purely supportive. It implies that a supportive role will assist in developing the agency of the people most directly involved in the search for justice and peace. This also implies that attention is also given to those voices on the margins as part of the establishment of a comprehensive peace plan. In this regard, it is significant that the local Church, harnessing local insights and aspirations has been deeply involved in the process of shaping the Agreement thus honouring the principle of subsidiarity.

It also needs to be noted that the Church in this Agreement reflects a long-standing desire to see the implementation of a two state solution. In 1975 Pope Paul VI in his Christmas message said that the Jewish people who had suffered so horrendously in the Holocaust and now sought a safe, secure land of their own 'should also recognise the rights and legitimate aspirations of another people who have also suffered for a long time, the Palestinian people.'

Pope Benedict XVI confirmed the Church's belief in a two state solution and of the right of Israel to exist within international borders and to exist in peace and security. However, he also called for the same right for Palestinians. He famously said: 'let the two state solution become a reality and not remain a dream.' Many commentators believe that the ongoing expansion of the settlements, which have been condemned in international tribunals and the extension of the separation barrier, are now making a two state solution impossible. This would deliberately undermine any possibility of peace for a very long time.

The Agreement has been seen by some as a provocative political act on the part of the Vatican. At the time of the signing of the Agreement, the Government of Israel expressed 'regret at the Agreement.' It said that the Agreement harmed the chances to reach a peace deal and lessened the chances of convincing the Palestinians to stay at the negotiating table.

The Agreement remains a sure sign that the Church has not given up the hope of finding ways to justice and peace and stemming the tide of violence and despair in this volatile region. As such, it should be welcomed and supported.

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