



# INTERNATIONAL CONFERENCE ON THE QUESTION OF JERUSALEM

*“Preserving the cultural and religious character of Jerusalem”*

Geneva, 27 - 28 June 2019

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CHECK AGAINST DELIVERY

## PLENARY II

### Challenges to safeguarding the cultural heritage of Jerusalem

Restoration of Islamic cultural sites and the Hashemite custodianship in Jerusalem

Paper presented by

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**The Hashemite Kings' Custodianship and Conservation of Jerusalem Muslim  
and Christian Holy Sites 1917-2019**

**By**

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**Introduction**

Starting from 1917 and continuing through 2019, the Hashemite Kings' Custodianship of Jerusalem Holy Sites noticeably contributed to the preservation of the authentic cultural and religious character of Jerusalem and its holy sites. His Majesty King Abdullah II inherited the custodianship of Jerusalem Muslim and Christian holy sites from his Hashemite fathers starting by his Grand Father King and Sahrif Hussein<sup>1</sup> Bin Ali. Recent confirmation of this role was the 1988 King Hussein's exclusion of East Jerusalem Holy Sites and Waqf properties from the declaration of Jordan's disengagement with the West Bank. The exclusion was coordinated with PLO President Yaser Arafat. The 1994 peace treaty with Israel and the 2013 Custodianship Agreement with President of Palestine State Mahmoud Abbas reaffirmed and defined the scope of the Hashemite King's responsibilities after Palestine was recognized as non-member observer state by the UNGA in 2012.

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<sup>1</sup> Sharif Hussein was the 42<sup>nd</sup> Hashemite to legally function as Amir and Custodian of Mecca and its Holy Site.

**Below are the major commitments, which demonstrate the Hashemite King's role and status, as Custodian of Jerusalem's Muslim Holy Site of Al-Aqsa Mosque/Al-Haram Al-Sharif (AAM/AAS) and Jerusalem's Christian Holy Site of the Church of Holy Sepulcher:**

**First commitment 1917: Al-Aqsa Imam pays Friday prayer to King and Sharif Hussein Ben Ali as Amir Al-Mu'mineen and Custodian of Jerusalem Holy Sites**

British mandate archive records that first prayers by Friday Imam of Al-Aqsa were paid to Sharif Hussein Bin Ali in 1917, marking a historic transition of the 400 years responsibility from Ottoman Sultan, as Khalifah of the Muslim Ummah to HMK Hussein Bin Ali. This prayer is symbolically, religiously and legally very important for the following accounts:

- 1- AAM/AAS was not left without Royal Custodianship representing the Muslim Ummah, especially after Sultan Abdul-Hamid was almost arrested and isolated in his Istanbul palace by the New Turks.
- 2- Sharif Hussein Bin Ali was in close communication with Sultan Abdul-Hamid until 1916 just a short time before Sharif Hussein declared the Arab revolt. Most of Sharif Hussein's letters to the Turks were keen to defend the position of his Khalif and friend Sultan Abdul-Hamid.
- 3- Sharif Hussein recorded very keen responsibility and communications with Jerusalem Muslim and Christian communities during the transition period of 1916-1924.
- 4- The Friday prayer and these communications clarify that the 1917 religious Bay'ah (Jerusalemites' allegiance to Sharif Hussein) preceded the political one in 1924.
- 5- It also proves that Sharif Hussein's motivation of declaring the Arab Revolt from the Holy Site in Mecca in his way to the Holy City of Jerusalem was an Islamic-Arab religious drive with the United Arab Kingdom's national umbrella.

**For all these deep connotations, Sharif Hussein asked that he would be buried inside Al-Aqsa Mosque/Al-Haram Al-Sharif when he died in his Raghadan palace in Amman, June 4<sup>th</sup>, 1931.**



Figure 1: His Majesty Sharif Hussein connection to Jerusalem society and Holy Sites

**Second commitment: 1919 – 1924 Bay'at Ahlul-Quds and Bilad Asham (the Jerusalemites and people of the Levant)**

The Hashemite historic role in safeguarding and protecting East Jerusalem had been more institutionalized by Sharif Hussein bin Ali in 1919 under the pledge of Bay'at Ahl ul-Quds<sup>2</sup>. When the Ottoman Islamic Caliphate officially ended in November 1922, the Arabs of Hijaz, Syria, Jordan, Lebanon, Palestine and others searched for a de jure Khalifah/Caliph. The Hashemite Emir Abdullah ben Al-Sharif Hussein ben Ali (later King Abdullah I) and the Palestinian Hajj Amin Al-Husseini were the first two figures to pledge Bay'ah to Sharif Hussein ben Ali on March 11, 1924.

<sup>2</sup> The Bay'ah is an allegiance that the residents of Palestine pledged to the Hashemite King, who would protect the Holy Sites and people of the sacred city by virtue of their being successors over the Islamic political body, the Muslim Ummah. We have to keep in mind that Khilafah is religious authority for united Muslim nation not for united Arab nation.

**Publication of the news letter of 1924 Allegiance to Sharif Hussein, as Amir Al-Mu'mineen and Caliph of Muslims by people of Palestine, Iraq, Syria, Hijaz and others**

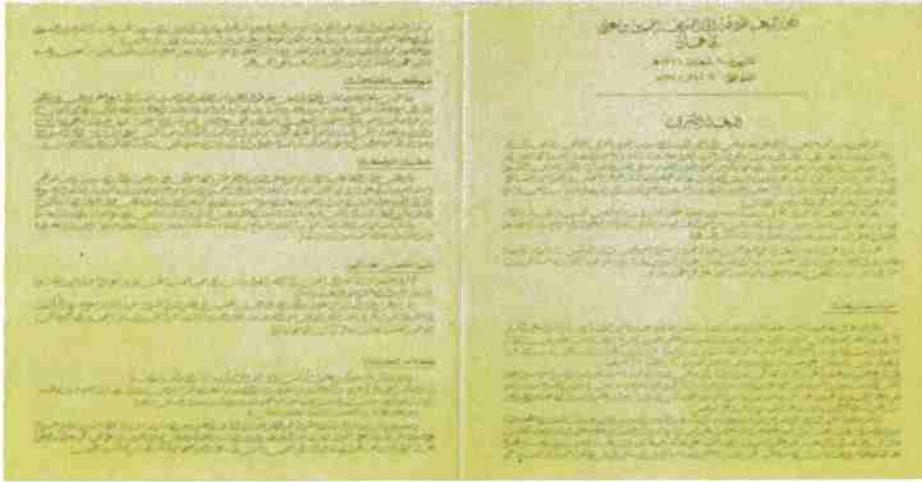


Figure 2: 1924 Letter of Allegiance to Sharif Hussein

**Third commitment: Hashemite Restorations of Jerusalem Holy Sites**

**First Restoration (1922-1952)**

For most Muslims, afraid of the Zionist project, aware of Al-Aqsa, as the key symbol of their presence in, and right to Jerusalem, Al-Aqsa became a rallying point of Arab and Muslim unity. In 1922, the Islamic Higher Council (IHC), was established to preserve Islamic ideals and sanctuaries of Palestine. The IHC, headed by Haj Amin Al-Husseini took responsibility for raising funds to restore the Dome of the Rock. A delegation visited Sharif Hussein in 1924, and explained to him the mosque's condition. Sharif Hussein contributed 38,000 golden lire. This generous sum went towards the well-known First Hashemite Restoration of Al-Aqsa Mosque 1924-1929.

Sharif Hussein's son Amir Abdullah, the first ruler and Amir of Transjordan personally supervised the first Restoration; work was intensified 1928-1936. He also supervised the 1940s renovations, known as the Egyptian Restoration due to Egyptian technical participation, import of ceramic tiles from Egypt and engagement of Egyptian engineers in the restoration. During the 1948 war, the Old City of Jerusalem, Al-Aqsa Mosque and the roof of the Holy Sepulcher suffered considerable damages. King Abdullah I succeeded to save Al-Aqsa from Occupation and the Zionist Haganah surrendered to the Arab Legion, led by Officer Abdallah Al-Tal. Straight after the end of the war, King Abdullah I visited Al-Aqsa and declared the restoration of Mihrab Zakaria (niche of Al-

Aqsa), as part of the reconstruction of surrounding buildings which had suffered structural damages too.

In 1949, King Abdullah I personally helped to extinguish a fire which destroyed parts of the Church of the Holy Sepulcher.

King Abdullah I held the role of the Custodian of the holy sites in Jerusalem throughout his time, until his assassination after he entered in the Qibli Mosque / Al-Jame' Al-Aqsa for Friday prayer, 20<sup>th</sup> of June 1951.



Figure 3: King Abdullah I visits to Jerusalem, 1921 to 20<sup>th</sup> July, 1951

### Second Restoration (1952-1964)

The 1920s restoration, which replaced the outer wooden Dome of the Rock with an aluminum gold-plated one, had not prevented water from leaking into the interior. The dome was also losing its golden polish. In 1952-1953, the newly sworn-in Hashemite King Hussein Bin Talal made the maintenance of these plates, as symbol of Islamic pride and one of the Hashemite King's primary duties.

In 1954, King Hussein directed to establish the Jordanian Law of the Hashemite Restoration Committee, upon which HM supervised the restoration of the Dome of the Rock, the Silsileh Dome, Sabil Qaytbayi, the Women's Mosque and many other monuments.

King Hussein was very proud to personally guide Royal guests into Al-Aqsa, such as the King of Morocco, Shah Iran Mohammad Rida, President of Syria Shukri Al-Quwatly, Habib Burqaibah of Tunis and Saudi Arabia King Faisal Bin Abdul Aziz.

A few years later, King Hussein established the Jordanian law of Churches in 1958 and contributed to restorations in the Holy Sepulcher. The Jordanian law stressed the preservation of the Status Quo (Churches autonomous administration, known as Corpus Separatum), which was decreed by the Ottoman Sultan in 1850s.



Figure 4: King Hussein hosts Muslim leaders to show them Al-Aqsa is safeguarded

### Third Restoration - Emergency Restorations (1969 - present)

The Minbar of Salaheddin in Al Aqsa Mosque was completely burnt, when Zionist extremist Dennis Rohan set Al-Aqsa on fire on 21 August 1969. The Minber was brought from Aleppo to Jerusalem by Salaheddin, after his liberation of Jerusalem from the Crusaders in 1187 AD. Its restoration was supervised and sponsored by His Majesty King Abdullah II. The Minbar was installed in its proper historic place in Al Aqsa Mosque on 2<sup>nd</sup> of February 2007. Some restoration of damages of the 1969 fire are continued until today. After 1967, Jordan and the Jerusalem

religious figures did their best that the Jordanian Awqaf institution would continue administration of all affairs of the site. Israeli panic of religiosity of the state identity was very helpful to keep on this role.

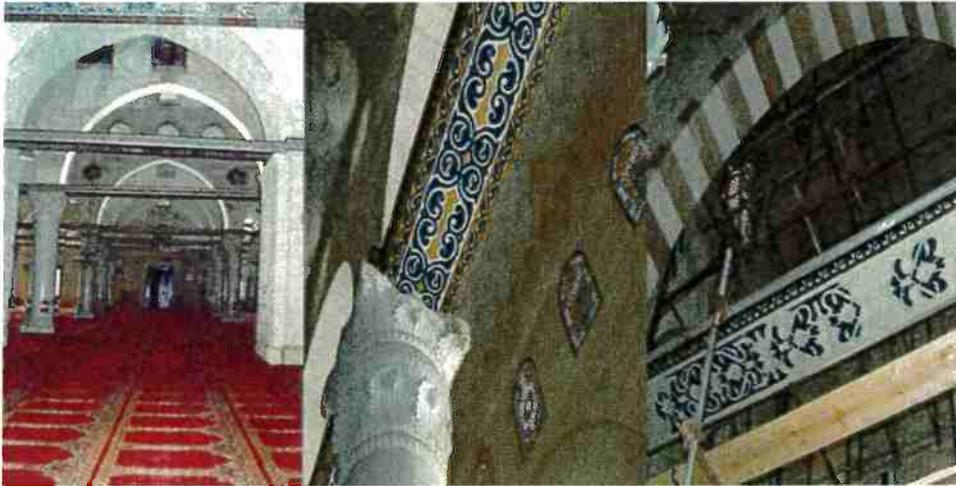


Figure 5: Renovation of the Qibli Mosque's wooden beams and ceiling decorations 1969-2012



Figure 6: King Abdullah II's reconstruction of the Minbar of Nourredeen Zinki - Salhuddeen Al-Ayyubi, 1999-2007; Photo of the burnt Minbar 1960s (right)

#### Fourth Restoration (1990 – 1994)

By the dawn of the 1980s, the Dome of the Rock was again beginning to dull and damage resulting from both environmental conditions and the frequent Israeli police's sound bombs. This could be seen on both the interior and exterior. The late King Hussein sold his house in London by USD12m

and initiated preservation of the Dome of the Rock. Under King Hussein's instruction, Jordan's Ministry of Awqaf commissioned professional companies to undertake the job of gilding the dome with five thousand new gold plates, as well as rebuilding the roof supports, repairing the basic structure of the building and fireproofing of the Dome from inside.

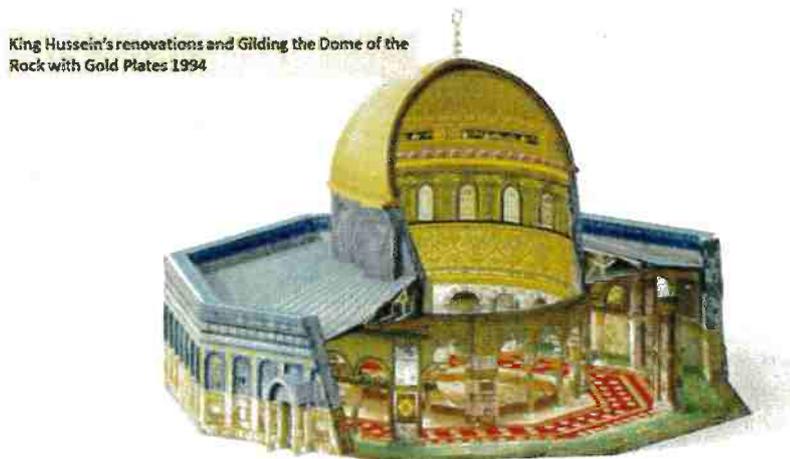


Figure 7: King Hussein's 'Fourth Hashemite Renovation' of Al-Aqsa 1992-1994; King Hussein sold his London House by \$8,750m and donated the entire amount for the project

#### Fifth Restoration (1994 – present)

The Christian and Islamic holy sites in Jerusalem remain of great interest to His Majesty King Abdullah II, as a continuation of the royal commitment to care for these holy sites. The Hashemite Fund for the Restoration of the Al Aqsa Mosque and the Dome of the Rock was established under a law issued in 2007. This fund is supervised by a board of trustees chaired by His Royal Highness Prince Ghazi Bin Mohammad.

Projects for the care and reconstruction of holy sites in Jerusalem in the era of King Abdullah II include the reconstruction of the Minbar of Salaheddin, which was made by Nourreddeen Zenki and its installation in Al Aqsa Mosque. Among the major restorations were also the renovation and strengthening of the southern and eastern walls of Al Aqsa Mosque / AL-Haram AL-Sharif.

In December 2016, the 8 years sophisticated project of renovating/preserving the mosaic of the Dome of the Rock and the Qibli Mosque were accomplished. More than other 20 restoration and maintenance projects have been accomplished. Many were salvage projects. Many have been obstructed by Israeli authorities.

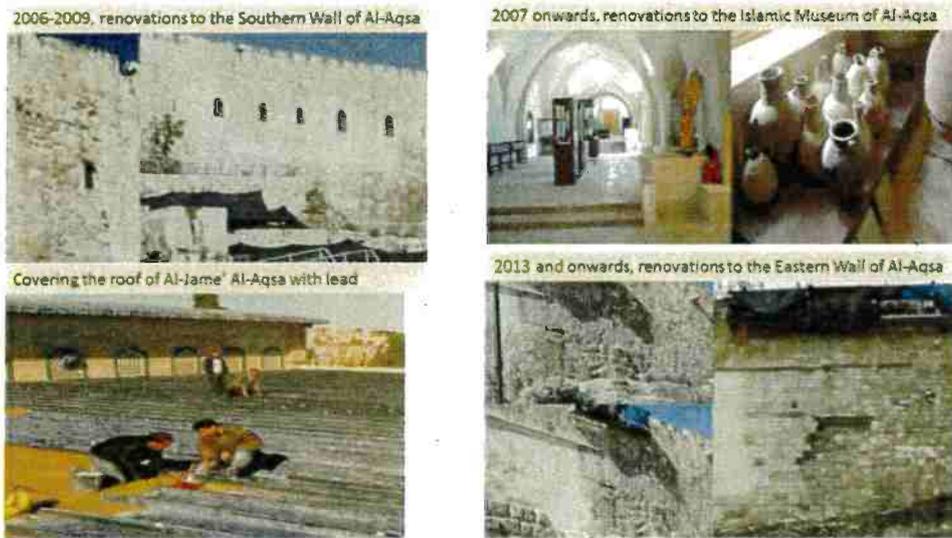


Figure 8: King Abdullah II preservations of Al-Aqsa Mosque / Al-Haram Al-Sharif 1990-present

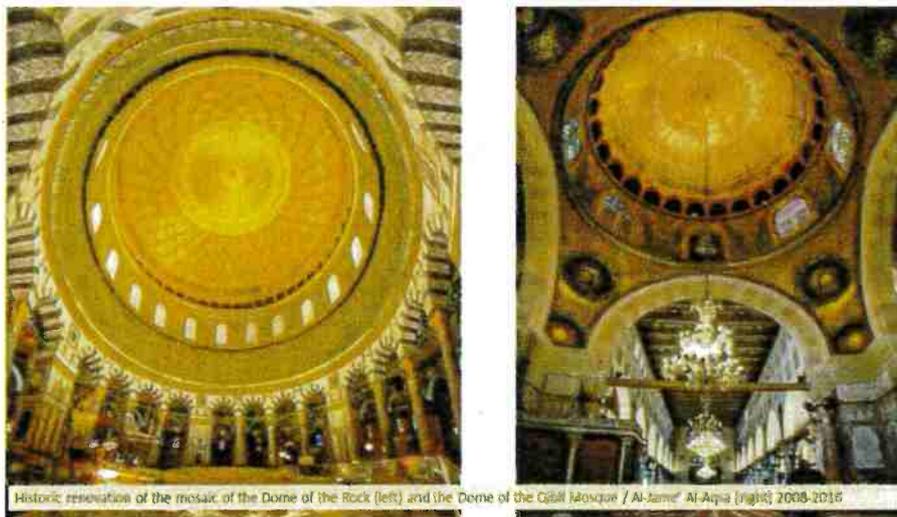


Figure 9: King Abdullah II's renovation of the mosaic of the Dome of the Rock and the Qibli Mosque 2008-2016

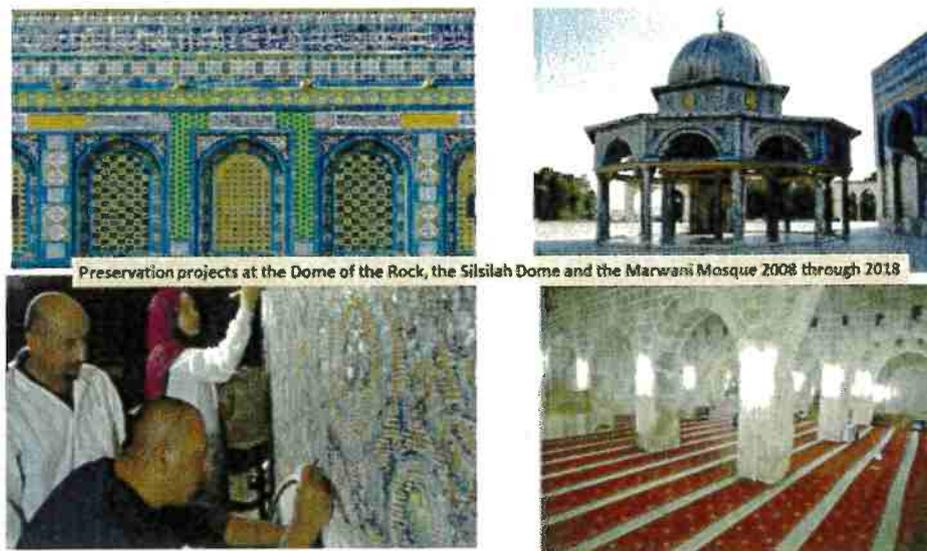


Figure 10: King Abdullah II's renovation of the Dome of the Rock, the Dome of the Silsilah and the Marwani Mosque

**Fourth commitment: Jordan's historic and legal status in Jerusalem**

**In addition to the abovementioned Bay'at Ahlul Quds to Sharif Hussein Bin Ali and the abovementioned continued restorations of the Holy Site during the last 100 years, the following incidents consolidated the Hashemite King's legal status and role in Jerusalem:**

**1- The Jericho Conference**

As a result of the 1948 war, most Palestinians found that union with Jordan was of vital importance to the preservation of Arab control over the "West Bank" territories. In December 1948, a group of Palestinian leaders and notables from the West Bank convened a historic conference in Jericho, where they called for King Abdullah I to take immediate steps to unite the two banks of the Jordan into a single state under his leadership. On April 11, 1950, elections were held for a new Jordanian parliament in which the Palestinians of the West Bank were equally represented. The unity of the two banks of the Jordan River, constitutionally expanded the Hashemite Kingdom of Jordan and safeguarded what was left of Palestine until 1967.

## **2- Exclusion of Jerusalem's Holy Sites and Awqaf from the 1988 Disengagement**

Holy Sites in East Jerusalem are still principally and constitutionally under the custodianship of the Hashemite King's of Jordan since it was legally excluded from Jordan's 1988 disengagement from the West Bank. The Prime Ministerial Council confirmed the exclusion just a few days after HM's declaration of disengagement. Jordan aimed to ensure that while political negotiations were ongoing between the PLO and Israel, no vacuum or 'protection gap' would result or allow Israel to alter the religious character and status of East Jerusalem as an Occupied City.

When President Abbas signed the Custodianship agreement on March 31 2013, he disclosed that he personally had been in charge of the negotiations with King Hussein on the exclusion of Jerusalem Holy Sites in 1988. President Abbas stated that the agreement meant continuity of the Status and Role of the Hashemite King and nothing was new in it.

## **3- Washington Declaration & Wadi Araba Peace Treaty**

The Jordanian role is further reiterated in both the Washington Declaration of 1993 and the Jordan-Israel Peace Treaty of 1994 which states in article 9: "Israel respects the present special role of the Hashemite Kingdom of Jordan in Muslim Holy shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines."

## **4- Holy Sites Agreement**

**2013 Holy Sites Agreement** signed between His Majesty King Abdullah II and Palestinian President Mahmoud Abbas in his three capacities, as Head PLO, PA and State of Palestine; the agreement included following:

- Reaffirmed that His Majesty King Abdullah II is the Custodian of the Holy Sites in Jerusalem, and has full right to exert all legal efforts to safeguard and preserve them, especially al-Masjid al-Aqsa, defined as the entire al-Haram al-Sharif (of 144 Dunums).
- Reaffirming that Jordan and Palestine have common goal of defending Jerusalem, especially at such critical time, when the city is facing dramatic challenges and daily illegal changes to its authenticity and original identity.

- Reaffirming the status of East Jerusalem as Palestinian sovereign occupied territory, and that all post-1967 occupation practices against Jerusalem are illegal.
- Reaffirming the State of Palestine's sovereignty over the land of East Jerusalem, including the land of the Holy Sites.
- Including the Greek Orthodox Patriarchate, which is still ruling its affairs according to the Jordanian 1958 Law of Churches, in the text of the Custodianship Agreement.

The agreement underscores the importance of the monarchy it plays on the holy sites, a matter already acknowledged by Israel under the 1994 Jordanian-Israeli Peace Treaty.

In April 2019, Chief of the Royal Hashemite Court dispatched copies of the Custodianship Agreement to United Nations, UNESCO, the Arab League and the Organization of Islamic Cooperation.

#### **5- Relationship with Jerusalem Churches and Custodianship of Christian Holy Sites**

In 1918, Sharif Hussein Bin Ali issued royal decrees to the Christian sects of Jerusalem and copied Jerusalem Muslim figures and his governors calling on them to commit to the Omari Pact and to protect all Christians of the Old City of Jerusalem. Since then, Jordan constituted a unique model of coexistence and fraternity between Muslims and Christians. The Hashemite Kings believed that the support of the rights of Christians is a duty rather than a favor. In 2016, HMK Abdullah II made a major sponsorship and contribution to the restoration projects of both the Holy Grave of Christ in the Holy Sepulchre and the Dome of Ascension on Mount of Olives.

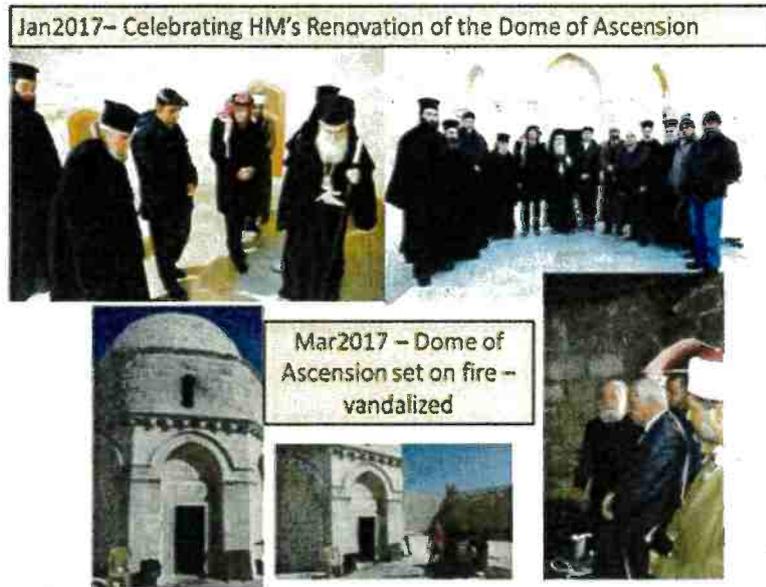


Figure 11: Hashemite restoration and protection of the Dome of Ascension 2017

On January 21, 2009, the Jordanian government officially made the Council of Church Leaders, as the Government's reference point for all Christian affairs. The council is composed of heads of officially recognized Christian denominations in the Holy Land, and all of them have been Heads of Churches in Jerusalem and Jordan since the beginning of the 20<sup>th</sup> Century. With the formation new 2009 Council of the Head of Churches, it has become a de facto incorporation between the Jerusalem Church Council and the Jordanian one. **While Jerusalem Churches are religiously responsible and have upper authority on all their Jordanian denomination, HMK is politically Custodian and has an upper authority of accreditation and protection of Jerusalem Churches.**

After signing the Holy Sites Agreement of 2013, **major Churches of Jerusalem, including the Greek Orthodox Patriarchate, the Armenian Patriarchate, the Latin Patriarchate and the Pope, the Anglican Church, the Lutheran Church and Syrian Orthodox sent letters of allegiance** asking and recognizing that their Jerusalem Christian Holy Sites continue to be under HM King Abdullah II's Custodianship. Churches updated allegiance refer back to Churches laws of 1936 and 1958.

**Beginning of 2016, His Majesty King Abdullah II issued a Royal Benefaction (makruma) to provide for the restoration of the Holy Tomb of Jesus in the Church of the Holy Sepulchre in Jerusalem, at His Majesty's personal expense. His Beatitude Kyrios Kyrios Theophilos III, Patriarch of the Holy City of Jerusalem and All Palestine and Jordan thanked "the generosity of His Majesty for remaining the faithful Custodian of the Christian and Muslim Holy Sites in Jerusalem. His Majesty King Abdullah embodies in deed, and not only in word, the shared living of Muslims and Christians all over the world and particularly in the Holy Land". Patriarch Theophilos also said that this "continuing Jordanian Hashemite patronage has been an indelible source of support for all the churches in the Holy Land and all the Christians in the East".**



Figure 12: Christ's Tomb in the Holy Sepulcher renovated 2016-2017 with an initiative donation by HM King Abdullah II

In 2017, when the Greek Orthodox Church Patriarchate was facing a very severe attack by the Israeli extreme NGOs and authorities and by the Arab Christians as well, King Abdallah has met his beatitude twice and they both launched a campaign defending the Patriarchate against attempts to confiscate the Church properties. HM is completely aware of the fact that toppling the Greek Orthodox Patriarch will undermine Status Quo and consequently all other Churches will fall under

pressure of the Occupying Power's policies. Since the Greek Orthodox Church is the greatest land owner in Palestine it has also been the most targeted Church by the settler groups and the Israeli State's policy of confiscating as much as of the Palestinians' real estate.

In November 2018, when King Abdullah II announced his plan to help fund the restoration of the entire Church of the Holy Sepulchre from his own funds and in particular from the \$1.4m amount which he received from Templeton Prize. Jerusalem church leaders warmly welcomed the donation, as both King's commitment of Custodianship and as a way around the stalemate of who would fund the restoration. This project is expected to enable the greatest and most inclusive renovations of the Holy Sepulchre in centuries.

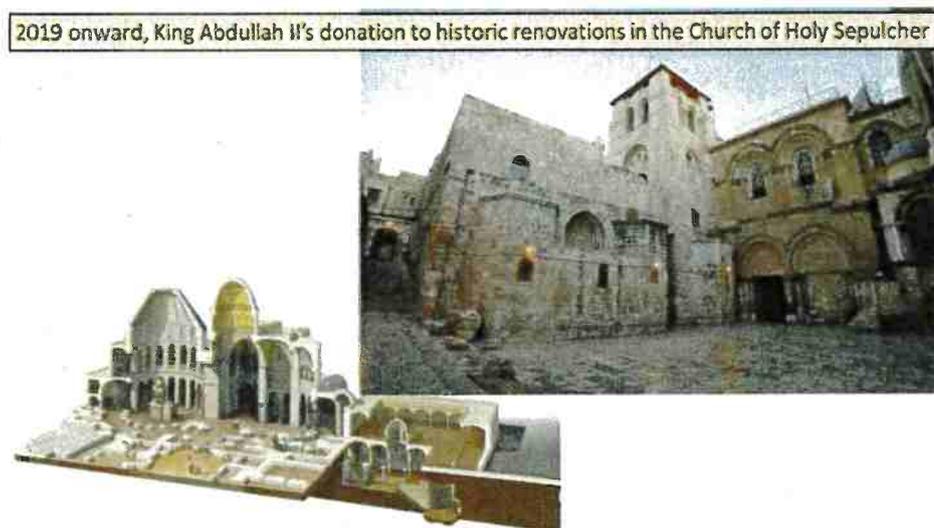


Figure 13: 2019 and onward, Church of Holy Sepulcher will witness historic renovations, part of which will be funded by King Abdullah II

#### **6. Jordan's safeguarding of Jerusalem heritage at UNESCO**

In 1980, Jordan proposed that the Old City be listed as a UNESCO World Heritage Site. It was added to the List in 1981 and the List of World Heritage in Danger in 1982. Since 1967 until the present time, Jordan and Palestine have led the Arab group at UNESCO to push the UNESCO Executive Board, World Heritage Committee and the General Conference for taking tens of

decisions that aim at documenting and safeguarding the heritage of the Old City of Jerusalem and Its Walls.

The definition “Al-Aqsa Mosque/Al-Haram Al-Sharif,” was inserted in the language of UNESCO decisions only after November 2014, when Israel Foreign Ministry issued an official aggressive letter, defining the “entire site, as Temple Mount.” The definition states and that nothing in the Holy site is Muslim, except for the small mosque over the surface of the ground under silver roof in the center of the TM, highlighting that the Dome of the Rock has never been a mosque.

### **Conclusion and the way forward:**

The Hashemite Kings’ Custodianship and preservation of the Jerusalem’s Muslim and Christian Holy Sites has been consistently uninterrupted since 1917 and it is still continuous. The Hashemite Kings were aware since the beginning of this role that their move from Mecca to Jerusalem was a big challenge first and foremost to fill the Ottoman vacuum, to encounter colonization and to safeguard/rescue the Holy Sites from the Zionist project of Judaizing Palestine. Thus their role has never been an easy duty; we are talking about 102 years of Custodianship; 83 years of it was under Occupation and the 19 years between 1948 and 1967 represented a very broiling time of war. Nevertheless, the Hashemite Kings sincerity and sacrifice succeeded to protect the Status Quo of Jerusalem’s Old City to the greatest possible extent.

The continued cooperation and support of Palestinian Muslim and Christian figures and both the religious and political organizations to the Hashemite Custodianship contributed to form a strong front to resist attempts to change the authentic identity of Jerusalem and its Holy Sites. The post-1967 Israeli enforcement of a new character on Jerusalem, especially the recent attempts to change the identity of Al-Aqsa Mosque/Al-Haram al-Sharif is pushing for more despair, violence and religious extremism. If Israel continues to block peace or maneuver to escape proposals of just peace that guarantees Palestinian rights, the heritage of Jerusalem will increasingly be at risk.

For the King of Jordan, representing the decision of 1.8b Muslims, the Al-Aqsa Mosque/Al-Haram Al-Sharif is un-sharable, indivisible and non-negotiable. This is the pre-1967 1400yrs old Status-Quo. Vast majority of world Christians support the same position of Muslims. In 1916, the Middle

East Council of Churches, in which most churches of the globe participated in a convention in Amman, supported the Status Quo prevailing in Jerusalem since the Pact of Omar. Their final statement included a clear rule of coexistence in Jerusalem: “The General Assembly acknowledged the role of the Hashemite Kingdom of Jordan and its historic efforts in the Hashemite custody of the Christian and Islamic holy places in the Holy Land, especially in Jerusalem, for the Church of the Holy Sepulcher belongs to Christians just as Al-Aqsa Mosque and Al-Haram Al-Sharif belongs to Muslims, as this matter is of great importance in establishing the foundations of the dialogue of life in that blessed land.”

Resisting enforced demolitions and fake narratives of Jerusalem remains and protecting Jerusalem Status Quo will open up so many opportunities of dialogue distant from two distinct positions of either enforced Occupation or complete exclusion. Our history has excellent examples of peace and interfaith from the time of Sayidna Mohammad (P.B.U.H) until today and from Al-Andalus to Tehran and beyond. The most important element for a successful dialogue is to avoid playing with God’s Will or enforcing It on earth.

Since the UN is not able to force Israel to abide by UNSC, UNESCO, UNGA’s resolutions regarding the preservation of Jerusalem’s heritage, it is fundamental to find out a creative monitoring mechanism and to use all possible tools to document the Israeli violations against the Old City of Jerusalem and Its Walls. Additional tools to raise international awareness regarding the dangers threatening the world heritage of Jerusalem are also required.

Although Israeli violations started to enjoy the support of certain countries, the UN and UNESCO should continue to represent justice and preservation of the city’s authentic identity. Enhancing the Hashemite Custodianship of Jerusalem Holy Sites by the UN and other international bodies should be one of the important tools to preserve Status Quo and Jerusalem Heritage. The international community must continue be aware of the illegality of Israel’s attempts to change the *status quo, inter alia*, by using international legal language in its reports, briefings and decisions dealing with violations in and around the Old City. No international institution has the excuse not to acknowledging East Jerusalem as the Capital of the State of Palestine and as part of the 1967 Occupied Territories. Any party that does not perceive the illegality of the occupying power under

international law is mistakenly supporting the Israeli violations and its change of Jerusalem's Status Quo.