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Organización
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منظمة الأمم المتحدة
للتربية والعلم والثقافة

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40 C

40 C/16

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JERUSALEM AND THE IMPLEMENTATION OF 39 C/RESOLUTION 36

OUTLINE

Source: 39 C/Resolution 36 and 207 EX/Decision 38

Background: By the above-mentioned Resolution, the General Conference invited the Director-General to present to it, at its 40th session, a progress report on the implementation of the Action Plan for the safeguarding of the cultural heritage of the Old City of Jerusalem and to include this item in the agenda of its 40th session. By 207 EX/Decision 38, the Executive Board invited the Director-General to submit a progress report on this matter at its 209th session.

Purpose: The Director-General informs the General Conference about the current situation and the steps taken to safeguard the cultural heritage of the Old City of Jerusalem since its 39th session.

Decision required: Paragraph 20.



Job : 201912405

Context

1. “The Old City of Jerusalem and its Walls (Site proposed by Jordan)”, is inscribed on the UNESCO World Heritage List and on the List of World Heritage in Danger, and is the sacred city of the three monotheistic religions – Judaism, Christianity and Islam. The historical, cultural and spiritual significance of Jerusalem, as a microcosm of humanity's diversity is, in itself, an appeal for dialogue.
2. At its 39th session, the General Conference examined document 39 C/16, which presented a report by the Director-General concerning the preservation of the cultural heritage of the Old City of Jerusalem, and adopted 39 C/Resolution 36 in which it decided, *inter alia*, to include this item on the agenda of its 40th session. Since the 39th session of the General Conference, the matter has been discussed on several occasions (documents and decisions 204 EX/25, 205 EX/28, 206 EX/32, 207 EX/38, WHC/18/42.COM/7A.add.2, WHC/19/43.COM/7A.add.3 and 42 COM 7A.21 and 43 COM 7A.22).
3. Following a letter received on 3 December 2018 from the Permanent Delegations of Jordan and Palestine to UNESCO regarding developments related to the building of a cable car over the Old City of Jerusalem, the Secretariat addressed a letter to Israel, State Party to the Convention, asking for information regarding this project. In the letter, the Secretariat stated that should this development be verified as true, this would be a worrying development as it may have a visual impact on the integrity of the world heritage site of the Old City of Jerusalem and its Walls. As of 11 November 2019, the Secretariat had not received an official response to this letter.
4. In recent months, the Secretariat has received several letters from the Permanent Delegations of Jordan and Palestine to UNESCO, from ICOMOS Palestine, from the Arab Group at UNESCO, from the Organization of the Islamic Cooperation and from the Arab League Educational, Cultural and Scientific Organization regarding excavations and tunneling projects that could have an impact on the integrity of the World Heritage site of the Old City of Jerusalem and its Walls. Following these letters, the Secretariat invited Israel, State Party to the Convention, to provide information. In this letter, the Secretariat stated that should this development be verified, it would be of utmost importance to analyze their potential effects and consequences on the Outstanding Universal Value, integrity and authenticity of the World Heritage site. As of 11 November 2019, the Secretariat had not received an official response to this letter.

The Action Plan for the safeguarding of the cultural heritage of the Old City of Jerusalem

5. By 32 C/Resolution 39, the General Conference requested the Director-General to set up a committee of experts to propose guidelines for the establishment of an Action Plan for the safeguarding of the cultural heritage of the Old City of Jerusalem. The World Heritage Centre fielded several technical missions to Jerusalem to elaborate this Action Plan, thanks to the generous financial contribution from the Government of Italy, as well as assistance provided by the Government of Spain. With the agreement of the parties concerned, the Action Plan was elaborated and welcomed in 2007 by the 176th session of the Executive Board and the 34th session of the General Conference, as well as by the World Heritage Committee.
6. The Action Plan comprised 18 projects of which only one has received funding, namely the project for the conservation of the Saint John Prodromos Church funded by the A.G. Leventis Foundation of Cyprus in 2009. Based on UNESCO's study and project design for the restoration of the Church, the A.G. Leventis Foundation and the Greek-Orthodox Patriarchate cooperated in the implementation of the restoration works. A mission by the World Heritage Centre to Jerusalem was carried out from 27 November to 1 December 2013 in order to proceed with the closure of the project. The project has now been terminated and the remaining funds were returned to the donor in December 2014.

Ensuring the Sustainability of the Centre for Restoration of Islamic Manuscripts of the Haram al Sharif in Jerusalem

7. In accordance with the agreement signed between UNESCO and the Norwegian Government in December 2011 on the project entitled “Ensuring the Sustainability of the Centre for Restoration of Islamic Manuscripts of the Haram al Sharif in Jerusalem”, UNESCO has deployed its assistance to build the Centre’s staff capacities in the preservation of Islamic manuscripts. Since the outset of the project, 14 learning modules were implemented, with over 1,538 hours of training on conservation and restoration techniques, in addition to study tours to restoration centres in Amman, Paris and Florence carried out in 2013. Two training workshops were held in Amman with the support of the Jordanian Ministry of Awqaf and the Royal Documentation Centre at the Royal Hashemite Court. Ten staff of the Centre have been granted permanent positions by Jordan. The project provided the Centre with conservation equipment and materials. UNESCO conducted seven monitoring and consultation missions during the project implementation period, between 2011 and 2015. The stakeholders concerned are currently planning a new phase of the project to make the Centre operational, autonomous and sustainable through the strengthening of capacities, the restoration of the premises and the elaboration of a strategy, and, to that effect, a project proposal was submitted to the Norwegian government for its consideration on 1 August 2019.

Project for the safeguarding, refurbishment and revitalization of the Islamic Museum

8. Concerning the project entitled “The Safeguarding, Refurbishment and Revitalization of the Islamic Museum of Haram al Sharif and its Collection”, which is funded by Saudi Arabia, the Jordan Jerusalem Awqaf and Ta’awun, the premises of the Museum have been renovated and equipped, and staff has been appointed and trained in inventorying, cataloguing, basic conservation, restoration, photography, English language and ICTs. Discussions have been initiated with the Jordan Jerusalem Awqaf for the further rehabilitation and restructuring of the museum, and exhibition plans.

The Mughrabi Ascent

9. The Executive Board at its 176 EX/Special Plenary Meeting (2007) requested consideration of a separate item concerning the Mughrabi Ascent within the overall context of the cultural heritage of the Old City of Jerusalem. The Executive Board and the World Heritage Committee requested that the Director-General and the World Heritage Centre facilitate the dialogue between Israeli and Jordanian (including Jordanian Waqf) experts regarding the proposed design of the Mughrabi Ascent and that no measures, unilateral or otherwise, should be taken that would affect the authenticity and integrity of the site.

10. In January and February 2008, two technical meetings took place in Jerusalem, between Israeli and Jordanian (including Jordanian Waqf) experts, in the presence of representatives from the World Heritage Centre, ICCROM and ICOMOS. Despite further decisions from the Executive Board at its 189th, 190th and 191st sessions and by the World Heritage Committee at its 36th session, it has not been possible to organize a follow-up meeting on the subject since 2008. The Israeli and the Jordanian authorities prepared distinctive plans for the reconstruction of the Mughrabi Ascent, which were transmitted to the World Heritage Centre in May 2011. With a view to facilitating dialogue among the parties concerned, as requested by the World Heritage Committee and the Executive Board, UNESCO convened a technical meeting at its Headquarters in April 2012, with representatives of the World Heritage Centre, ICCROM and ICOMOS. The proposal from the Jordanian experts was presented and discussed during the meeting. Israel informed the World Heritage Centre that it would not participate in the meeting. Due to the absence of the Israeli experts, neither examination nor discussion of the Israeli proposal took place. Therefore, the situation remained unchanged.

11. Information received by the Secretariat from the Permanent Delegations of Jordan and Palestine to UNESCO indicated that the Israeli authorities had resumed work at the Ascent since May 2012. Following 191 EX/Decision 5 (I) of the Executive Board, a meeting between Israeli and Jordanian authorities was to take place at UNESCO Headquarters on 27 May 2013. However, with no agreement on the terms of reference for the reactive monitoring mission, the meeting could not take place.

12. At its 194th session, following a roll call vote, the Executive Board invited all parties concerned to participate in the experts meeting on the Mughrabi Ascent, to be held at UNESCO upon an agreed date prior to the 38th session of the World Heritage Committee (Doha, 2014). It has been brought to the attention of the 38th session of the World Heritage Committee that not all the parties concerned were in a position to attend this experts meeting prior to its opening on 15 June 2014.

13. From 2014 to 2016, all Decisions adopted by the Executive Board and by the World Heritage Committee concerning the Old City of Jerusalem were taken either by secret ballot or roll call vote and requested a UNESCO experts meeting on the Mughrabi Ascent. The relevant Decisions also invited all concerned parties to facilitate the implementation of the experts meeting and requested that the report of this meeting be presented to the concerned parties.

14. At the time of the preparation of the present document, the meeting recommended by the World Heritage Committee and the Executive Board has not taken place.

Reactive Monitoring Mission to the Old City of Jerusalem

15. From 2010 onwards, the World Heritage Committee requested “a joint World Heritage Centre-ICCROM-ICOMOS Reactive Monitoring mission to the property as referred to in the Operational Guidelines to assess and advise on progress made in the implementation of the Action Plan and, in cooperation and consultation with the concerned parties, to identify appropriate operational and financial mechanisms and modalities to strengthen technical cooperation with all concerned parties in the framework of the Action Plan”.

16. During the 190th session of the Executive Board (October 2012), Member States expressed their concern about the lack of progress in the implementation of the Executive Board’s decisions concerning the cultural heritage of the Old City of Jerusalem. At the 191st session, a consensus was reached among the parties concerned for a mission to the Old City of Jerusalem to take place in May 2013. The mission was scheduled to be carried out from 20 to 25 May 2013. However, no agreement could be reached on the terms of reference of the mission by the parties concerned, which was regretted by the 37th session of the World Heritage Committee (Phnom Penh, 2013).

17. At its 194th session (April 2014), the Executive Board requested the dispatch, on an agreed date prior to the 38th session of the World Heritage Committee (Doha, 2014), of the joint World Heritage Centre-ICCROM-ICOMOS reactive monitoring mission to the Old City of Jerusalem and its Walls. However, it was brought to the attention of the 38th session of the World Heritage Committee that this joint reactive monitoring mission could not be undertaken before the session of the Committee as requested by the Executive Board.

18. Since then, and prior to October 2017, both the World Heritage Committee and the Executive Board requested – either by secret ballot or roll call vote – the dispatch of the reactive monitoring mission to the Old City of Jerusalem and stressed the need for the urgent implementation of this mission. Relevant decisions also request that the report and recommendations of the reactive monitoring mission be presented to the concerned parties.

19. Pursuant to relevant decisions of the Executive Board and the World Heritage Committee, which have been adopted on a consensual basis by these governing bodies since October 2017, UNESCO has sought to facilitate exchanges between Israeli, Palestinian and Jordanian (including Jordanian Waqf) experts regarding the protection of the Old City of Jerusalem and its Walls, including to facilitate the UNESCO Reactive Monitoring Mission to the Old City and a UNESCO experts meeting on the Mughrabi Ascent. At the time of the preparation of this document, the monitoring mission and experts meeting had not yet been undertaken.

Proposed draft resolution

20. In light of the above, the General Conference may wish to adopt a resolution along the following lines:

The General Conference,

Recalling 39 C/Resolution 36, as well as the provisions of the four Geneva Conventions (1949), the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and its Protocols, and the Convention for the Protection of the World Cultural and Natural Heritage (1972), the inscription of the Old City of Jerusalem at the request of Jordan on the World Heritage List (1981) and on the List of World Heritage in Danger (1982), and the recommendations, resolutions and decisions of UNESCO on the protection of cultural heritage,

Affirming that nothing in the present resolution, which is aimed at the safeguarding of the cultural heritage of the Old City of Jerusalem and its Walls, shall in any way affect the relevant United Nations resolutions and decisions, in particular the relevant Security Council resolutions on the legal status of Jerusalem,

Having examined document 40 C/16,

1. *Expresses its sincere thanks* to the Director-General for her sustained efforts for the safeguarding of the cultural heritage of the Old City of Jerusalem, in compliance with the General Conference resolutions, and *reiterates its concern* as to the obstacles and practices, unilateral or otherwise, affecting the preservation of the distinctive character of the Old City of Jerusalem and its Walls;
2. *Thanks* international donors for their generous contributions to the UNESCO Action Plan for the Safeguarding of the Cultural Heritage of the Old City of Jerusalem, and *calls upon* Member States and the international donor community to further support, through extrabudgetary funding, activities aimed at the safeguarding of the cultural heritage of the Old City of Jerusalem, in particular in the context of the Action Plan;
3. *Expresses its gratitude* to the Director-General for the progress made in the implementation of conservation, restoration and training activities in the Old City of Jerusalem and its Walls, in particular with regard to the development of the Al-Aqsa Centre for the Restoration of Islamic Manuscripts in al-Ashrafiya Madrasa, thanks to the generous financial contribution and coordination of Jordan and Norway, and the refurbishment and revitalization of the Islamic Museum of al-Haram ash-Sharif, thanks to the generous financial contribution from Saudi Arabia;
4. *Recognizes* the concerns raised about the Israeli archaeological excavations and works in the “Old City and on both sides of the walls” of the Old City of Jerusalem and its Walls;

5. *Invites* the Director-General to pursue her efforts with the parties concerned for the safeguarding of the outstanding universal value of the Old City of Jerusalem and its distinctive character;
6. *Recalls* that this item is included in the agenda of the 209th session of the Executive Board;
7. *Also invites* the Director-General to present to it at its 41st session a progress report on the implementation of the UNESCO Action Plan for the Safeguarding of the Cultural Heritage of the Old City of Jerusalem, and *decides* to inscribe this item on the agenda of its 41st session.