

## 26. Old City of Jerusalem and its Walls (site proposed by Jordan) (C 148 rev)

**Decision:** 37 COM 7A.26

I

The World Heritage Committee,

1. Having examined Document WHC-13/ 37.COM/7A.Add 2,
2. Recalling the relevant provisions on the protection of cultural heritage including the four Geneva Conventions (1949), the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and its related protocols, the Convention for the Protection of the World Cultural and Natural Heritage of 1972, the inscription of the Old City of Jerusalem and its Walls 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, including Decision 36 COM 7A.23 (I), adopted at its 36th session (Saint Petersburg, 2012),
3. Reaffirming that nothing in the present decision, which aims at the safeguarding of the authenticity, integrity and cultural heritage of the Old City of Jerusalem on both sides of 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,
4. Deplores the continued Israeli failure to cooperate and facilitate the implementation of the World Heritage Committee Decision 34 COM 7A.20, which requests a joint World Heritage Centre/ICCROM/ICOMOS reactive monitoring mission to the Old City of Jerusalem and its Walls and despite its own letter to the Director General of UNESCO dated 23 April 2013 accepting the Mission as reflected in the agreement reached at the 191<sup>st</sup> session of the Executive Board and as stipulated in the Executive Board 191 EX/Decision 9, and asks Israel to refrain from any new preconditions in order not to obstruct the implementation of the above mentioned agreement;
5. Deeply deplores the persistence of Israeli archaeological excavations and works in the Old City of Jerusalem and on both sides of its Walls and the failure of Israel to cease such works, and requests the Israeli authorities to prohibit all such excavations and works, in conformity with its obligations under the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and its related protocols, the Convention for the Protection of the World Cultural and Natural Heritage of 1972, and as clearly stated in the Delhi UNESCO Recommendation of 1956 concerning excavations undertaken in occupied territories;
6. Reiterates the necessity of cooperation to facilitate access to the Old City of Jerusalem and both sides of its Walls, including religious heritage sites therein, in the context of the UNESCO Conventions for the protection of the cultural heritage, and expresses its concern regarding the restricting obstacles imposed by the Israeli authorities on the freedom of access provided to Jordanian and Waqf experts to safeguard such sites;
7. Also deplores, in this regard, the damaging effect of the Jerusalem Light rail (tram line), itinerant at few meters from the Walls of the Old City of Jerusalem, which severely affects the visual integrity and the authentic character of the site and urges Israel to restore the original character of the site in conformity with its obligations under the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and its related protocols and the Convention for the Protection of the World

Cultural and Natural Heritage of 1972 as well as the 2011 UNESCO Recommendation concerning the Historic Urban Landscape;

8. Regrets the Jerusalem Municipality plan to build a two-line cable car system to connect the Mughrabi Quarter with the Mount of Olives in East Jerusalem, and also urges Israel to prevent any damage to the integrity and authenticity of the property by abandoning the above mentioned project in conformity with its obligations under the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and its related protocols and the Convention for the Protection of the World Cultural and Natural Heritage of 1972;
9. Also regrets the decision of the Jerusalem District Planning and Building Committee, that approved the construction of a visitor centre on the Givati Parking lot in Silwan at a distance of twenty meters from the Walls of the Old City as well as its approval of the so called “Liba House” project, a huge structure of three storeys and approximately 3700 square meters in the Old City of Jerusalem, the extension of the Strauss Building and the Western Wall elevator, and further urges Israel to renounce to the above mentioned projects in conformity with its obligations under the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and its related protocols and the Convention for the Protection of the World Cultural and Natural Heritage of 1972;
10. Requests the World Heritage Centre to continue applying the Reinforced Monitoring Mechanism to the Old City of Jerusalem on both sides of its Walls, including the Mughrabi Ascent, and also requests it to report every four months on this matter;
11. Thanks the international donors for their generous contributions to UNESCO projects for the Safeguarding of the Cultural Heritage of the Old City of Jerusalem on both sides of its Walls, and calls upon the international donor community to further support, through extra-budgetary funding, activities aimed at the safeguarding of the integrity and authenticity of the Old City of Jerusalem and both sides of its walls;
12. Also thanks the Director-General of UNESCO and the World Heritage Centre for their efforts aimed at the Safeguarding of the Cultural Heritage of the Old City of Jerusalem on both sides of its walls and invites them to report on this matter at the 38th session of the World Heritage Committee in 2014;

## II

13. Recalling 176 EX/Special Plenary Meeting Decision, and Executive Board 189 EX/ Decision 5 (II) relating to the Ascent to the Mughrabi Gate in the Old City of Jerusalem,
14. Taking into consideration the 12th and all previous Reinforced Monitoring Reports and their addenda prepared by the World Heritage Centre,
15. Expresses its concern about the decision by the Jerusalem District Planning and Construction Commission on the town planning scheme for the Mughrabi Ascent, and the subsequent decision by Israel’s National Council for Planning and Construction to adopt “an alternative plan for the Mughrabi Ascent”, approved on 31 October 2010 by the above-mentioned Commission;
16. Requests that, despite the decisions mentioned in paragraph 15, the design process of the Mughrabi Ascent be inclusive of, and accepted by, all parties concerned in accordance with obligations and duties of such parties as stipulated in the provisions of the relevant UNESCO Conventions on the protection of Cultural Heritage;

17. Reaffirms in this regard that no measures, unilateral or otherwise, shall be taken which will affect the authenticity, integrity and the distinctive character of the site, in accordance with the relevant provisions of the Convention for the Protection of the World Cultural and Natural Heritage of 1972 and the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954;
18. Also notes in this regard reports of preliminary discussions reached by Jordan and Israel respectively regarding the Mughrabi Ascent which stipulate that no measures, unilateral or otherwise, shall be taken on the site in accordance with paragraph 17 above;
19. Acknowledges receipt of the Jordanian design for the restoration and preservation of the Mughrabi Ascent, submitted to the World Heritage Centre on 27 May 2011, and thanks Jordan for its cooperation in accordance with the provisions of the relevant UNESCO Conventions for the Protection of Cultural Heritage;
20. Expresses its concern regarding Israel's submission and content of its plan for the Mughrabi Ascent, and requests that the World Heritage Centre be proactive in the evaluation of the design received in accordance with above paragraph 19;
21. Reiterates in this regard, the need for the parties concerned to cooperate on all related aspects of this issue and regrets Israel's refusal to fulfil World Heritage Committee Decision 36 COM 7A.23.II, Executive Board 191 EX/Decision 5 (I) and related UNESCO Resolutions and Decisions;
22. Expresses its concern regarding the continuous, intrusive archaeological demolitions and excavations in and around the Mughrabi Gate Ascent since 22 May 2012, and calls on the Israeli authorities to end such violations, respect the Status Quo, and cooperate with Jordanian and Waqf experts as the competent authorities to maintain and safeguard the site in accordance with the relevant provisions of the Convention for the Protection of the World Cultural and Natural Heritage of 1972 and the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954;
23. Further regrets Israeli religious-extremist groups' provocative incursions into Al-Aqsa Mosque Compound through the Mughrabi Gate, and urges the Israeli authorities to take the necessary measures to prevent such abuses that violate the sanctity and integrity of the Compound and inflame tension on the ground;
24. Affirms, in this regard, the necessity to respect and safeguard the integrity, authenticity and cultural heritage of Al-Aqsa Mosque Compound, as reflected in the Status Quo as a holy place for Muslim worship and as an integral part of a World Cultural Heritage site;
25. Thanks the Director-General for her attention to the sensitive situation in the Ascent and calls upon her to consult with the concerned parties on the dispatch of the necessary expertise to assess possible damages incurred to the site through the conduct of recent Israeli demolitions as referenced in the 12th Reinforced Monitoring Report prepared by the World Heritage Centre and above paragraph 22;

### III

26. **Decides to retain the Old City of Jerusalem and its Walls on the List of World Heritage in Danger.**