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JERUSALEM AND THE IMPLEMENTATION OF 145 EX/DECISION 5.5.1

SUMMARY

The Director-General submits this document in compliance with decision 5.5.1 adopted by the Executive Board at its 145th session on the subject of Jerusalem. It has been prepared on the basis of the information available as at 15 August 1995.

I

1. The Director-General is continuing to watch very closely developments in the negotiations currently being held in the Middle East with the aim of establishing lasting peace in the region. He welcomes the process, and hopes that it will continue and come to a successful conclusion. With regard to the Old City of Jerusalem, he reports below on the action taken to give effect to the directives of the Executive Board and the General Conference.
2. The Director-General recalls that at its 145th session, the Executive Board examined his report on 'Jerusalem and the implementation of 27 C/Resolution 3.8' and adopted 145 EX/Decision 5.5.1 in which it requested '3. [...] that no measure or act be taken that alters the religious, cultural, historical or demographic nature of the city or impairs the balance of the site as a whole, pending final negotiations on the status of Jerusalem'.
3. In the same decision the Executive Board invited the Director-General:

'10. [...] to take the necessary steps to ensure that the following operations are carried out:
 - (a) preservation and conservation of the marble facing on the outer and inner walls of the *Al-Harâm ash-Sharîf* and of the Umayyad mosaics, and restoration of the monumental stucco decorations sculpted inside the dome;
 - (b) restoration of the complex comprising the *Sûq al-Qattânîn* and the two Mamlûk *hammâms* (*Hammâm ash-Shifâ* and *Hammâm al-'Ain*);
 - (c) restoration, as a matter of great urgency, of a number of manuscripts of the *Al-Aqsâ Mosque*, dating from the eighth and ninth centuries, whose condition is giving cause for concern;
 - (d) dispatch of a mission headed by Professor Lemaire with all the scientific assistance needed to examine the bedrock affected by the substance used in digging the tunnel, in order to propose, the digging having been stopped, any measures that might be taken to consolidate the bedrock should this prove necessary;
 - (e) drawing up of an inventory of the cultural and physical heritage of the Old City of Jerusalem by experts of high repute in the fields concerned, working on an interdisciplinary basis;

and decided to include this question on the agenda of its 147th session.

II

4. In compliance with this decision, the Director-General dispatched three teams of experts to Jerusalem to undertake a detailed study of a number of technical problems concerning the condition of the marble, mosaics and stucco-work of the Dome of the Rock and to report to him on the solutions to be recommended. The reports of these missions and the preliminary proposals for restoration work have been communicated to the officials of the Jerusalem *Waqf* for consideration. A further mission to look at the interior and exterior lighting is planned for September 1995.
5. A project for the restoration of the two Mamlūk *hammāms* (*Hammām ash-Shifā* and *Hammām al-'Ain*) together with an overall estimate of about US \$300,000 for the cost of the work has been communicated by the Jerusalem *Waqf*. The Director-General has been asked to increase the contribution to the Special Account for that purpose. A contract for the payment of the sum requested and for the early completion of the work will be drawn up as soon as the Secretariat has received a detailed description and work plan for the work.
6. A contract is also being drawn up for the publication of an annotated catalogue of the valuable ancient manuscripts held in the Al-Aqsā Mosque Library and the Islamic Museum of Jerusalem. The catalogue has been drawn up by the Director of the Library, also curator of the Islamic Museum.
7. The urgently needed restoration of some precious manuscripts held at the Al-Aqsā Mosque cannot, as things stand, be carried out on the spot. Consultations are therefore under way to examine the possibility of sending the manuscripts to a very high-level specialized institution abroad.
8. After a detailed study on the spot by the Director-General's personal representative of the condition of the rock in which the tunnel has been dug, the expert mission provided for was judged to be unnecessary.
9. The project to draw up an inventory of the cultural heritage of the Old City of Jerusalem, which would require substantial skills and financial resources, is under consideration. In addition, in 1994 the Director-General sent a letter to the authorities concerned, submitting to them a draft booklet on the city's cultural heritage with a view to securing their co-operation.
10. With respect to the Holy Sepulchre, the Director-General, in September 1994, convened a scientific committee in Jerusalem to examine the state of this monument which is of outstanding historical and religious value. The purpose was to supplement the report of the committee of experts sent there by the Director-General in August 1992, and if necessary to propose solutions to the problems raised by the restoration and decoration work being carried out there. A summary of the report of this mission is presented below by the Director-General's personal representative.
11. The balance of the Special Account for the Safeguarding of the Cultural Heritage, and more particularly the Islamic monuments, of the City of Jerusalem, as at 15 August 1995, is US \$2,230,800.
12. In compliance with the resolutions and decisions of the governing bodies of UNESCO, the Director-General has continued his consultations with all the parties concerned, with a view to identifying and drawing up other projects to be financed by the Special Account.

III

13. In pursuance of 27 C/Resolution 3.8, Professor Lemaire visited Jerusalem from 21 to 26 May 1995 and prepared the following report.
14. **Report by the Director-General's personal representative**

Report to Mr Federico Mayor, Director-General of UNESCO, on the
safeguarding of the urban and monumental heritage of Jerusalem

1. Since the last report submitted to the Executive Board at its 145th session, several missions have been undertaken in pursuance of the policy decided upon by the governing bodies of UNESCO regarding the safeguarding of the cultural heritage of the City of Jerusalem.
 - A. Usual visit to Jerusalem by the undersigned, from 21 to 26 May 1995.
 - B. In-depth visit to the Holy Sepulchre by a group of experts, from 11 to 16 September 1994.
 - C. Expert mission on the cleaning and conservation treatment of the marble cladding of the Dome of the Rock (Qubbat as-Sakhra), from 17 to 21 March 1994.
 - D. Expert mission on the conservation of the mosaics of the Dome of the Rock, from 19 to 24 November 1994.
 - E. Expert mission on the cleaning, conservation and restoration of the painted stuccowork of the dome of the Dome of the Rock, from 17 to 27 December 1994.
 - F. An expert mission to examine the exterior and interior lighting of the Dome of the Rock is planned for September 1995.

With the exception of the mission by the Director-General's personal representative, these missions have been the subject of reports communicated to the authorities that are directly concerned by the problems dealt within them.

Mission of the Director-General's personal representative

1. Persons interviewed

Israelis:

Mr Avi Manor, Director of the Division of International Organizations of the Ministry of Foreign Affairs;

Mr Ehud Olmert, Mayor of Jerusalem;

Mr Amos Radian, political adviser to the Mayor;

Mr Amnon Lorch, President of East Jerusalem Development, Ltd.;

Mr Amir Drori, Director of the Israel Antiquities Authority;

Professor J. Glück, of the Haifa Polytechnic Faculty.¹

Arabs:

Mr Faisal Husseini, assigned by the Palestinian Authority to be responsible for questions concerning Jerusalem;

Mr Sheikh Saalhab, Director-General of *Waqfs* (Islamic religious endowments) in the occupied territories;

Mr Adnan Husseini, Director of the *Waqf* of Jerusalem;

Mr Isam Awwad, architect-engineer in charge of the restoration of Islamic monuments;

Mr Khader Salameh, Director of the Al-Aqsà Mosque library and curator of the Islamic Museum of Jerusalem.

Christians:

Mgr. Andrea Cordero Lanza di Montezemelo, Apostolic Delegate to Jerusalem and Apostolic Nuncio to the Israeli Government.

2. Excavations

2.1 On several occasions, the attention of Israeli officials in the Israel Antiquities Authority has been drawn to the derelict state and gradual deterioration of the excavations opened up more than 25 years ago by Professor Mazar at the base of the south-west corner of *Al-Harâm ash-Sharîf* (the Temple Mount). Excavations were halted there many years ago but a substantial part near the Bâb al-Naghârîba was simply abandoned. In a letter dated 9 February 1995, sent to the Director of UNESCO's Division of Physical Cultural Heritage, the Permanent Delegation of Jordan expressed its disquiet about the work commissioned by the municipality of Jerusalem in that area. An on-the-spot examination and information obtained from the authorities concerned make it possible to clarify the objectives of the work under way, which are essentially to clear the ground, clean up and consolidate the old excavations and improve the presentation of the Hebraic, Roman and Omayyad remains. However, the onsite examination revealed that this work is taking place in tandem with additional, not very extensive excavations which are for the most part concentrated on deepening some of the old trenches. As far as I could ascertain on the site, the new excavations do not go deeper than the level of the old local Roman road and therefore could not endanger the stability of the walls of Al-Harâm ash-Sharîf or the remains of the Omayyad palaces.

2.2 As the excavations are important tourist attractions, the municipality has devised a plan to separate visitors who tend to go and look at the ancient remains on the Ofel hillside, from the crowds attracted by the 'Wailing Wall' and the religious ceremonies held there. In this connection, a plan has been drawn up to make an underground passage which would pass out under the walls built in the reign of Süleimân the Magnificent by a gate other than the Dung Gate (recently widened to facilitate pedestrian access to the Old City from the south). Excavations at the base of the sixteenth century wall, about ten metres from the Dung Gate, have revealed the piers of a gate in the walls, probably from the Hasmonean period, preserved to a height of about two metres, the threshold of which has also been preserved and is situated at a similar depth in relation to the Dung Gate. The wall has been pierced at this place and it is planned to reopen this gate, which would provide the wished-for second crossing-point. From the technical and aesthetic points of view, this kind of work is possible without endangering the wall as it is. Clearly though, it would be a significant modification of the original condition of the sixteenth-century wall at that point.

No other excavation has been reported to me by the antiquities services or by the Islamic authorities.

3. The 'tunnel'

The tunnel dug over the last quarter of a century along the Western Wall of *Al-Harâm ash-Sharîf* (the Temple Mount) accounts for one of the regular chapters in the situation reports concerning the urban and monumental heritage of Jerusalem. In a letter dated 7 September 1994, the Minister of *Waqfs* and Islamic Affairs of Jordan drew the attention of the Director-General to the problems posed by this undertaking. The same concern was expressed by the Deputy Prime Minister of Jordan, President of the Jordan National Commission for UNESCO, in a letter dated 29 April 1995, and by the Director-General of ALECSO, Mr Mohammed Brahimi el-Mili, on 16 May 1995.

Information supplied by the authorities might have led one to believe that this chapter could be finally closed because all the works relating to it had been halted. The present situation shows this not to be the case, however. It will be recalled that the 'tunnel' consists of a sort of long corridor dug along almost the entire length of the Western Wall of *Al-Harâm ash-Sharîf* (the Temple Mount) underneath the Arab properties which back on to the Wall. The work, begun in secret in 1968, has caused quite a large number of stability problems to the buildings above it, which include some Mamlûk period buildings of great architectural and historical value.

The tunnel attracts a large number of religious Jews who go there to pray, and attracts even more tourists. As it is very long (almost 400 metres) and very narrow (rarely more than a metre wide), movement is difficult and it is almost out of the question to allow a group going up to meet a group going down. As a result, there is a plan to introduce one-way circulation and at the northern end of the passage to make an exit into the Old City. Various plans have been drawn up, all of which have led to conflict with the *Waqf* authorities, under and in whose properties the tunnel has been dug and the exit would be made. Two years ago, those in charge of the tunnel stated that they were going to restrict themselves to building a platform at the northern end of the tunnel near the Roman cisterns, known as the Strouthion cisterns, underneath the Convent of the Flagellation, where one group could wait for the next group to arrive so that they could pass each other. I observed during my last visit that this plan has been abandoned in favour of a significant additional excavation, with a staircase, cut into the solid rock which once supported the Roman fortress of Antonia, leading to a wall through which, if a door were made in it, one would emerge in the Via Dolorosa. I was told that this doorway would be made in the near future despite numerous objections.

At this point, it is important to correct some information that was given to me by the archaeologist in charge of the archaeological study of the tunnel, Mr Dan Bahat, during my previous visit. He had told me that the excavation of the new part of the tunnel, mentioned in my 1994 report, had been facilitated by the use of

chemicals to attack the limestone rock. Professor Glück, engineer in charge of the stability of the tunnel, categorically denies that this was done. While the use of such chemicals was discussed during the preliminary studies, it was rejected, both because there were serious questions about the effectiveness of the chemicals and because their side effects were unknown.

4. The Dome of the Rock

The restoration work on the dome has been completed. The new copper covering with its coating of pure gold has restored the famous monument to its original splendour. The building is now fully watertight, thus stopping the infiltrations of water which, in the past, were one of the major causes of its deterioration.

However, it is clear that this is merely the first phase of a much-needed general restoration. Some work even needs to be carried out as a matter of urgency. In the future, the building's outer facing of marble slabs and ceramics will need conservation and restoration work and, as was done recently at the Al-Aqsà Mosque, the original twelfth-century paintwork on the interior stucco-work of the dome must be renovated, the mosaics must be cleaned and arrangements made for them to be better preserved, and lighting must be installed that is more in keeping with the character of the monument.

With funding from the Special Account set up at UNESCO and consisting of donations from States and eminent and religious Islamic figures, the Organization is currently taking part in this vast undertaking by means of scientific and technical assistance provided by the top international specialists in the field. In 1993, the Director-General sent a team of specialists in the conservation and restoration of monuments so as to report to him on the general condition of the monument and the work needed to safeguard it and present it to best advantage. On the basis of their report and with the agreement of local officials, three more studies were made with the aim of determining the causes of the deterioration and ways of correcting it. These were:

1. A study of the deterioration of the external marble facing of the walls. This had suffered over the centuries from various types of damage, and particularly the penetration into the white marble slabs of rust from the iron hooks which held them in place. Whilst the cause has been clearly established, studies are still being carried out to find a cleaning method that will not damage the original materials. The examination and studies were entrusted to specialists from ICCROM (International Centre for the Study of the Preservation and the Restoration of Cultural Property, Rome).
2. A study with a view to the renovation and restoration of the original paintwork on the stucco-work of the dome. These stuccoes have been painted over on several occasions over the centuries, most recently when the monument was restored at the end of the 1950s. Neither the chromatic composition nor the colours correspond to the original design; probes have established this. The situation is in fact similar to that of the contemporaneous dome of the Al-Aqsà Mosque, where the original decoration of amazing beauty was discovered underneath many layers of paint. Its restoration quite recently won a large prize from the Aga Khan Foundation. It is hoped that a similar result can be achieved for the Dome of the Rock. The expert examination was carried out by the specialists appointed by the *Waqf* to restore the Mosque's dome.
3. A similar study by a specialist from the Rome *Centro di conservazione archeologica* to determine the condition of the mosaics decorating the inside of the monument. They are both extremely beautiful and of exceptional archaeological and historical interest as they are the oldest in Islamic art and proof of the survival of high Byzantine traditions. Some parts are poorly or inadequately attached to the wall and others are missing. They are all very dirty from dust and pigeon droppings. Action is urgently needed to ensure the satisfactory preservation of these outstanding mosaics.

Being already on the spot, the expert also examined the condition of the mosaics of the Al-Aqsà Mosque, also awaiting large-scale and urgently needed conservation and restoration work. He discovered about seven square metres of very beautiful mosaics which had become detached from the walls of the sanctuary at an unknown date and which, when restored, will be one of the treasures of the Al-Aqsà Museum.

4. A fourth expert mission to look at the exterior and interior lighting of the Dome of the Rock will take place in September 1995.

It is not yet possible to say exactly how much the work recommended by the experts will cost. It would nevertheless seem that one should anticipate a figure of between US \$2 and 3 million.

5. Restoration of the *Hammâm ash-Shifâ* and *Hammâm al-'Ain*

The Director-General decided during his visit to Jerusalem in March 1993 that these restorations should in principle be subsidized from the Special Account. Numerous contacts were made with the Jerusalem *Waqf* authorities concerning the preparation of a project and budget. The outcome is that about \$300,000 are needed for the restoration of these two monuments, which are the last traditional *hammâms* in Jerusalem and important parts of the monumental complex of the *Sûq al-Qattânîn* (Cotton Market). A detailed description of the work, together with a precise evaluation, was requested several months ago from the *Waqf* administration to enable a subsidy contract to be drawn up. Despite several reminders, the document has not yet been submitted.

6. Publication of an annotated catalogue of the manuscript collection of the Al-Aqsà library and museum

This important study is the work of Dr Salameh, Director of both institutions. It is well known that the library and museum contain an outstanding collection of very fine manuscripts, in particular of the Koran. Twenty thousand dollars has been offered to the *Waqf* to fund the publication of the catalogue. It is planned that it will be fully illustrated with colour plates and will be of a high quality. The contract has been drawn up by the Secretariat but we are still waiting for a final estimate for the printing. One of the difficulties encountered has been the choice of a publishing company or a local printer capable of ensuring high-quality printing.

7. Restoration of the most important manuscript of the Al-Aqsà Mosque

A large number of valuable manuscripts, particularly manuscripts of the Koran, are in a dreadful condition, which gives grounds for great anxiety about their safeguarding. Some of them urgently need the attention of very eminent specialists. Such specialists are not to be found in Jerusalem and the work to be done in any case calls for highly specialized technical equipment. In addition, a long time is needed for the work and must include rest periods. It is therefore impossible to foresee the work being done on the spot. It would be possible as things stand at present only in a small number of specialist institutions, most of them in Europe. The main problem with the manuscripts in question is the understandable reluctance of the Islamic authorities of Jerusalem to authorize their dispatch abroad. However, in view of the great urgency, the problem should be re-examined and considered seriously. The Special Account could be used to pay for the operation in its entirety or in part.

A general comment: it appears from the three preceding paragraphs that one of the major difficulties encountered in doing the work subsidized through the Special Account is the considerable delay - in some cases more than two years - in negotiating and signing the contracts UNESCO has proposed to the Jerusalem *Waqf* authorities. In fact, this essentially concerns contracts covering material work to be done on the spot.

With regard to the expert studies requested by those in charge locally, funding is settled directly between the institution or expert concerned and UNESCO, which considerably facilitates and hastens the operation.

The origin of these problems is to be found essentially in the large number of local authorities participating and the lack of agreement on the spot about the nature and limits of their authority. It would be desirable for a constructive solution to be found where this situation is concerned.

8. The Holy Sepulchre

The basilica of the Holy Sepulchre has for several years been the subject of an important chapter of the annual report on the safeguarding of the monumental heritage of Jerusalem. It is true that, for Christians, it is the most venerable shrine of the Holy City. Whilst the whole city is on the List of World Heritage in Danger, it is only really valid for this building. Previous years' reports have clearly shown the reasoning behind this assessment. Taking their content as a basis, the Director-General sent two successive expert missions to report to him on the situation. The first was in August 1992. A number of hesitations were expressed about the integrity of its conclusions, which had been communicated to the Greek Orthodox and Armenian Patriarchs and the Custodian of the Holy Land, the three religious authorities responsible for safeguarding the monument. These hesitations were voiced in particular by the Greek Orthodox Church, since no Greek orthodox specialist had been among the experts. It should be recalled that the Director-General had invited a Greek specialist of repute to take part, but the person withdrew on the eve of the mission's departure. As a result, the Director-General asked the previous expert committee, expanded now to include two internationally recognized Greek specialists, to go back to Jerusalem and make a new examination of the condition of the building. This was the subject of a report submitted in April 1995. It has been communicated to the religious authorities concerned, accompanied, like the previous one, by a personal letter from the Director-General drawing their attention to the distressing state of the building. At the time of writing there had been no replies to these communications.

The new report confirms the observations and conclusions of the first one. It notes that the current management of the building, and therefore of the work which was recently begun or is due to begin there in the near future, is the same as it has always been, but the mission considers that most of the work and projects do not come up to contemporary conservation standards and are seriously endangering the historical, archaeological and artistic value of the monument. Considering its history of over sixteen centuries, to which the vestiges preserved bear witness, these values are clearly of outstanding cultural importance and deserve the highest consideration.

The mission also noted that the work carried out over the past 40 years was done without any scientific archaeological and historical study of the building, even though a study of this kind is the essential starting-point for this type of undertaking.

It further noted that each community carries out work in its own part without first consulting the custodians of other parts of the Church or taking into consideration the impact of its projects on the building as a whole.

The result is that most of the work has been planned and carried out to the detriment of the historical value of the Basilica, its archaeological features and potential beauty. The overall impression given by the monument is one of chaos and, in some parts, desertion, which diminishes, or even destroys the feeling of respect due to such a place.

As it is not very likely that the situation can be remedied rapidly, the Director-General has taken up one of the experts' proposals and recommended to the authorities responsible that they should suspend the implementation of new work and projects until a detailed scientific historical, archaeological and technical study is available, on the basis of which a new overall project could be drawn up to provide guidelines for all future work. This would make it possible eventually to restore to the monument its full value while adapting it to the needs of the different religions and accepting, within the aesthetic balance of the whole, the artistic traditions associated with them.

In order to promote this idea, the Director-General is proposing that the study should be financed by UNESCO and that new financial resources should be sought for it under the Special Account.

9. Drawing up of an inventory of the cultural and physical heritage of the Old City of Jerusalem

Decision 5.5.1 adopted by the Executive Board at its 145th session recommended that the Director-General should arrange for an inventory of the cultural and physical heritage of the Old City of Jerusalem to be drawn up 'by experts of high repute in the fields concerned, working on an interdisciplinary basis'. This would be a very extensive and complex project needing considerable financial resources. The project is under consideration and might be the subject of a report to the next session of the Executive Board.

10. Work in and around the Old City

There is no significant work to report in the Old City, where alterations to the roads are being carried out slowly, in line with the nature of the work under way for years.

However, beyond the walls, the new neighborhood of Mamilla, which lies against the Ottoman walls, is gradually being completed, blighting the urban landscape in an alarming way.

To the east of the city, the belvedere, road and small adjoining car park, mentioned in paragraph 6.1 of my 1994 general report to the Director-General, are being constructed despite the protests of the *Waqf*, the principal owner of the land in question. However, plans affecting the other side of the road, occupied by the main old Muslim cemetery of Jerusalem, have been abandoned.