

Decision : 39 COM 7A.27

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

The World Heritage Committee,

1. Having examined Document [WHC-15/39.COM/7A.Add](#),

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 on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the *Convention for the Protection of the World Cultural and Natural Heritage* of 1972, the Delhi UNESCO Recommendation of 1956 concerning excavations undertaken in occupied territories, 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 related recommendations, resolutions and decisions of UNESCO,

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. Deeply concerned by the persistence of the Israeli illegal excavations and works conducted by the Israeli Occupation authorities and the extreme settler groups in the Old City of Jerusalem and on both sides of its Walls and the failure of Israel to cease such harmful interventions, requests Israel to timely stop all such violations, in conformity with its obligations under the provisions of related UNESCO Conventions and recommendations,

5. Regrets the damage caused by the Israeli security forces on 30th October 2014 to the historic Gates and windows of the Qibli Mosque inside Al-Aqsa Mosque/ Al-Haram Al-Sharif, which is a Muslim holy site of worship and an integral part of a World Heritage Site;

6. Expresses its deep concern over the Israeli closure and ban of the renovation of Al-Rahma Gate building, one of Al-Aqsa Mosque/ Al-Haram Al-Sharif Gates, and urges Israel to stop obstruction of the necessary restoration works, in order to fix the damage caused by the weather conditions, especially the water leakage into the rooms of the building;

7. Deplores the damaging effect of the Jerusalem Light rail (tram line) 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 requests Israel, the Occupying Power, to restore the original character of the site in conformity with its obligations under the provisions of related UNESCO Conventions and recommendations;

8. Calls on Israel, the Occupying Power, to stop the obstruction of the immediate execution of all the 19 Hashemite restoration projects in and around Al-Aqsa Mosque/ Al-Haram Al-Sharif;

9. Also deplores the Israeli decision to approve: the plan to build a two-line cable car system in East Jerusalem, the plan to construct of the so called "Liba House" project in the Old City of Jerusalem, the demolition and new construction of the so-called Strauss Building, and the project of the elevator in the Buraq Plaza (Western Wall), the digging of a Mamluk structure beneath the Buraq Plaza (Western Wall), the excavations and construction of new levels underneath the Buraq Plaza, and urges Israel, the Occupying Power, to renounce the above mentioned projects in conformity with its obligations under the provisions of related UNESCO Conventions and recommendations particularly the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and its related protocols, as well as UNESCO Decisions particularly the World Heritage Committee decisions 26 and 38COM/7A.4;

10. Expresses its deep concern regarding the plan for building of the so called "Kedem Center" a visitors centre near the southern wall of Al-Aqsa Mosque/Al-Haram Al-Sharif, which severely affects the visual integrity and the authentic character of the site, in addition, its placement at the northern entrance to Silwan village will cut off the Palestinian residents' direct connection to Old City and the Palestinian neighbourhoods to the north and east of the village, furthermore, most of the remains resulted from the excavation therein have been completely removed without documentation;

11. Expresses its concern regarding the restricting obstacles imposed by Israel, the Occupying Power, on the freedom of access that shall be provided to the competent national authorities including the Jordanian Waqf experts to safeguard the Old City of Jerusalem and both sides of its Walls;

12. Welcomes the relative improvement of Muslim worshippers' access into Al-Aqsa Mosque/ Al-Haram Al-Sharif over the past seven months, regrets the Israeli extremist groups' continuous storming of Al-Aqsa Mosque/ Al-Haram Al-Sharif, and urges Israel, the Occupying Power, to take necessary measures to prevent such provocative abuses that violate the sanctity and integrity of the Al Aqsa Mosque/ Al-Haram Al-Sharif and inflame tension on the ground;

13. Further regrets the damage by Israel, the Occupying Power, of the historic ceramics atop of the main gates of the Dome of the Rock and the damage of the historic gates and windows of the Qibli Mosque inside Al Aqsa Mosque/Al-Haram Al-Sharif and reaffirms, in this regard, the necessity to respect and safeguard the integrity, authenticity and cultural heritage of Al-Aqsa Mosque /Al-Haram Al-Sharif, as reflected in the Status Quo, as a Muslim Holy Site of worship and as an integral part of a World Cultural Heritage site;

14. Calls upon Israel to return the remains and to provide the World Heritage Centre with the relevant documentation in particular concerning the removed and found historic remains, as well as to restore the original character of the sites of all the above mentioned projects;

15. Requests the World Heritage Centre to continue applying the Reinforced Monitoring Mechanism to the Old City of Jerusalem on both sides of its Walls, and also requests it to report every four months on this matter;

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 40th session of the World Heritage Committee in 2016;

17. Recalling 176 EX/Special Plenary Meeting Decision, and all UNESCO Executive Board Decisions relating to the Ascent to the Mughrabi Gate in the Old City of Jerusalem,

18. Affirms that the Mughrabi Ascent is an integral and inseparable part of Al Aqsa Mosque/ Al-Haram Al-Sharif,

19. Takes into consideration all the previous Reinforced Monitoring Reports and their addenda prepared by the World Heritage Centre as well as the State of Conservation report submitted to the World Heritage Centre by the Hashemite Kingdom of Jordan and the State of Palestine,

20. Expresses its growing concern regarding the continuous, intrusive demolitions and illegal excavations in and around the Mughrabi Gate Ascent, and the latest excavation works conducted at the beginning of May 2015 at the Buraq Plaza (Western Wall) of Al-Aqsa Mosque/ Al-Haram Al-Sharif, and calls on Israel, the Occupying Power, to end such violations, respect the Status Quo, and enable the Jordanian Awqaf experts as a part of the competent national authorities to maintain and safeguard the site in accordance with the relevant provisions of the UNESCO Conventions and Recommendations in particular the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and its related protocols;

21. Commends 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;

22. Urges Israel, the Occupying Power, to cooperate with Jordanian Awqaf Department, in conformity with its obligations under the provisions of the UNESCO related Conventions, to facilitate access of Jordanian Awqaf experts with their tools and material to the site in order to enable the execution of the Jordanian design of the Ascent to the Mughrabi Gate;

23. Further expresses its deep concern regarding demolitions of Ummayyad, Ottoman and Mamluk remains at the site of the Mughrabi Gate Pathway, and urges Israel, the Occupying Power, to abide by its obligations in this regard;

24. Thanks the Director-General for her attention to the sensitive situation of the Ascent to the Mughrabi Gate and asks her to take the necessary measures in order to enable the execution of the Jordanian design of the Ascent to the Mughrabi Gate;

25. Recalls the Executive Board decisions concerning the reactive monitoring mission to the Old City of Jerusalem and its Walls particularly decision 196EX/Decision26.4 as well as the World Heritage Committee decisions particularly decision 34 COM 7A.20;

26. Deeply regrets the continuous Israeli failure to implement the Reactive Monitoring Mission and urges Israel, the Occupying Power, to accept and facilitate the implementation of that Mission;

27. Stresses the need of the urgent implementation of the above-mentioned UNESCO mission and, in case of non-implementation according to the above mentioned Executive Board decision 196EX/Decision26.4, decides to consider, in conformity with the provisions of the *Convention Concerning the Protection of the World Cultural and Natural Heritage* of 1972, adequate measures to have the concerned party implement it;

28. Requests that the report and recommendations of the mission be presented to the concerned parties prior to the next 197 EX Board session;

29. Thanks the Director-General for her continuous efforts to implement the above-mentioned UNESCO mission and all related UNESCO decisions and resolutions, and invites her to report on this matter at the next 40th World Heritage Committee session;

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

