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Item 4.3 of the provisional agenda

JERUSALEM AND THE IMPLEMENTATION OF 22 C/RESOLUTION 11.8

SUMMARY

In resolution 11.8 adopted at its twenty-second session, the General Conference requested the Director-General to keep the Executive Board informed of developments in the situation regarding cultural property in Jerusalem, and decided to include this question on the agenda of the twenty-third session of the General Conference. In this document the Director-General submits to the General Conference a report on the action he has taken to give effect to the above-mentioned resolution.

1. At its twenty-second session, the General Conference examined the report of the Director-General on 'Jerusalem and the Implementation of 21 C/Resolution 4/14' (documents 22 C/90 and its addendum) and adopted Resolution 11.8, the text of which is annexed hereto (Annex I).

2. In pursuance of 22 C/Resolution 11.8, the Director-General submitted a progress report to the Executive Board at its 120th session on the implementation of this resolution (document 120 EX/14). After having examined the Director-General's report, and in the light of its discussions, the Executive Board, in Decision 5.3.1, considered it necessary 'to provide additional detailed information, in particular on the following:

the effects of the digging of a tunnel along the western wall of Haram al-Sharif;

the experts' study on the fabric of the Al-Madrassa Al-Manjakiyya;

and invited the Director-General to take whatever steps he deemed necessary to obtain the additional detailed information required, and to report to the 121st session of the Executive Board. This decision is reproduced herewith in Annex II.

14 AUG 1985

3. At the 121st session of the Executive Board, the Director-General submitted a report on the action he had taken to give effect to the above-mentioned decision (document 121 EX/11). After having examined this report, the Executive Board adopted Decision 5.4.1, whereby it invited the Director-General 'to keep the Executive Board informed of the evolution of the situation in the occupied Holy City and to publicize all information about specific threats' and decided 'to include this question on the agenda of the 125th session of the Executive Board with a view to taking such decisions as the new situation may require'. This decision is reproduced herewith in Annex III.

4. The Director-General conveys to the General Conference in annexes to this document the two reports which he submitted to the 120th and 121st sessions of the Executive Board, in which he reports on the action he has taken with a view to the implementation of 22 C/Resolution 11.8. In these documents (Annexes IV and V), the Director-General also reports on the communications which he has received on the safeguarding of the cultural heritage of Jerusalem since the twenty-second session of the General Conference.

5. In the present document and its annexes, the Director-General gives the General Conference all the information relating to the preservation of the cultural heritage of Jerusalem which was available to him at the time of its drafting.

ANNEX I

22 C/Resolution 11.8

11.8 **Jerusalem and the application of 21C/Resolution 4/14**

The General Conference,

Recalling the Constitution of Unesco and its objectives relating to the preservation and protection of the world heritage of monuments of historical and scientific value,

Considering the exceptional importance of the cultural property in the City of Jerusalem, not only to the countries directly concerned but to all humanity,

Recalling all the relevant resolutions and decisions adopted by the General Conference and the Executive Board of Unesco, in particular 21C/Resolution 4/14,

Recalling that the General Conference, by that resolution, invited the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, and invited the Director-General to keep a constant watch on the execution of the resolutions and decisions concerning Jerusalem,

Having noted the report contained in document 22C/90, and in particular the report (116EX/18) submitted by the Director-General to the Executive Board at its 116th session,

Considering with consternation and concern that the Israeli occupying authorities are persisting in their refusal to apply the above-mentioned resolutions and decisions,

Noting specifically:

- (a) that those authorities are continuing to carry out excavations and are undertaking civil engineering and building operations detrimental to the historical and cultural character of the Holy City,
- (b) that the archaeological excavations and constructions begun and continued since 1967 are causing irreparable damage and harm to the Holy City of Jerusalem,
- (c) that the Al-Aqsa Mosque is more and more seriously and gravely endangered as a result of excavations and of the acts of armed aggression that have been perpetrated against it by fanatical groups,
- (d) that the objective of the establishment of Jewish colonies around the City of Jerusalem and of small Jewish religious communities inside the city is the judaization of the City of Jerusalem,

Considering further that, in persisting in their policy of annexation of Jerusalem, the Israeli authorities are deliberately refusing to abide by the decisions of the United Nations and Unesco in the matter,

Considering that the above-mentioned policy and practices, which have repeatedly been denounced and condemned by the international community, constitute a constant violation of the Charter of the United Nations, the Constitution of Unesco and the international conventions and recommendations relating to the protection of cultural property in the occupied territories,

1. *Reaffirms* the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;
2. *Endorses* decision 5.4.1 adopted by the Executive Board at its 116th session;
3. *Strongly condemns* Israel's persistent refusal to abide by those resolutions and decisions, and its policy of judaization and annexation of the City of Jerusalem;
4. *Invites* the Member States of Unesco to undertake all necessary action, by such means as they may deem appropriate, to put an end to this situation;
5. *Thanks* the World Heritage Committee for its decision to include the Old City of Jerusalem and its walls on the List of World Heritage in Danger and *invites* it to continue its activities for the protection and safeguarding of cultural property in the city;
6. *Thanks* the Director-General for the continued efforts he has made to ensure implementation of the relevant resolutions and decisions, while maintaining Unesco's presence in the city;
7. *Requests* the Director-General to keep the Executive Board informed of developments in the situation;
8. *Decides* to include this question in the agenda of its twenty-third session.

ANNEX II

5.3 Culture

5.3.1 Jerusalem and the implementation of 22 C/Resolution 11.8 (120 EX/14 and 120 EX/37)

The Executive Board,

1. Recalling all the resolutions and decisions adopted by the General Conference and the Executive Board of Unesco regarding the protection and safeguarding of the cultural property in the city of Jerusalem, in particular 22 C/Resolution 11.8,
2. Having noted the report of the Director-General contained in document 120 EX/14,
3. Considering it necessary, after examination of the above-mentioned report and in the light of the relevant discussions, to provide additional detailed information, in particular on the following:

the effects of the digging of a tunnel along the western wall of Haram al-Sharif; the experts' study on the fabric of the Al-Madrassa Al-Manjakiyya,
4. Considering also that the Israeli occupation authorities have not yet replied to the letter of the Director-General dated 27 July 1984,
5. Invites the Director-General to take whatever steps he deems necessary to obtain the additional detailed information required, and to report to the 121st session of the Executive Board;
6. Decides to include this topic on the agenda of its 121st session so as to take an appropriate decision on the matter in the light of the Director-General's report.

ANNEX III

5.4.1 Jerusalem and the implementation of 22 C/Resolution 11.8 (120 EX/14, 121 EX/11 and 121 EX/53, Part I)

The Executive Board,

1. Recalling the provisions of the Constitution of Unesco relating to the conservation and protection of and respect for the natural heritage and cultural property, especially property of outstanding universal value,
2. Recalling The Hague Convention of 1954 and the Recommendation on International Principles Applicable to Archaeological Excavations adopted on 5 December 1956 by the General Conference at its ninth session, in particular paragraph 32, which states: 'In the event of armed conflict, any Member State occupying the territory of another State should refrain from carrying out archaeological excavations in the occupied territory',
3. Recalling that existing international conventions, recommendations and resolutions on behalf of the natural heritage and cultural property demonstrate the importance for humanity of safeguarding such property, to whatever people it may belong,
4. Considering that it is of importance to the entire international community that the natural and cultural heritage should be protected,
5. Considering that the historic site of Jerusalem constitutes a homogeneous balanced and unique cultural property of outstanding universal value, and that accordingly the international community has deemed it to be one of the invaluable and irreplaceable properties of humanity as a whole, worthy of being included on the World Heritage List,
6. Recalling the decision of the World Heritage Committee to include the 'Old City of Jerusalem and its walls' on the List of World Heritage in Danger, with a view to preserving it from the serious and specific dangers threatening it, in particular the increasingly rapid deterioration of monuments, the appalling disfigurement of the environment, the destruction resulting from changes in the use of monuments or the ownership of land and the distortion of the cultural authenticity of properties,
7. Having examined the Director-General's report contained in documents 120 EX/14 and 121 EX/11 and noted the results achieved by the mission of Professor Lemaire, personal representative of the Director-General,
8. Nevertheless deplores the fact that those results do not entirely measure up to the expectations of the international community, which has constantly opposed all violations of The Hague Convention of 1954;
9. Reaffirms the previous resolutions of the General Conference and decisions of the Executive Board pertaining to the protection of the cultural properties of Jerusalem;
10. Urges Member States of Unesco to continue to seek, by such means as they may deem appropriate, to safeguard the cultural and natural heritage of Jerusalem and to preserve its homogeneity, its unique nature and its authenticity;
11. Requests the World Heritage Committee to continue its activities in connection with the inclusion of the Holy City on the List of World Heritage in Danger, with a view to taking appropriate follow-up action;
12. Appeals to the international community to help by means of voluntary contributions to safeguard the cultural heritage of Jerusalem;

13. Requests, inter alia, that action be taken without delay by the Israeli occupying authorities to give effect to the recommendation of the Executive Board at its 120th session calling for detailed information, prepared by an expert approved by both parties, regarding:

the effects of the digging of a tunnel along the western wall of Haram-al-Sharif;

the study concerning the stability of Al-Madrassa Al-Manjakiyya;

and regrets that this has not so far been done.

14. Warmly thanks the Director-General for his continuing efforts to maintain a Unesco presence in the occupied Holy City and to ensure the monitoring of the condition of endangered cultural properties;
15. Invites the Director-General to keep the Executive Board informed of the evolution of the situation in the occupied Holy City and to publicize all information about specific threats;
16. Decides to include this question on the agenda of the 125th session of the Executive Board with a view to taking such decisions as the new situation may require.

Hundred-and-twentieth Session

120 EX/14
PARIS, 27 August 1984
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Item 5.3.1 of the provisional agenda

JERUSALEM AND THE IMPLEMENTATION OF 22 C/RESOLUTION 11.8

SUMMARY

In resolution 11.8 adopted at its twenty-second session, the General Conference requested the Director-General to keep the Executive Board informed of developments in the situation regarding cultural property in Jerusalem. In this document the Director-General submits to the Executive Board the information relating to the cultural heritage of Jerusalem available to him at 10 August 1984.

I. INTRODUCTION

1. At its twenty-second session, the General Conference considered the Director-General's report on 'Jerusalem and the application of 21 C/Resolution 4/14' (documents 22 C/90 and 22 C/90 Add.) and adopted resolution 11.8, the text of which is annexed hereto. In the operative part of that resolution the General Conference:

- '1. Reaffirms the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;
2. Endorses decision 5.4.1 adopted by the Executive Board at its 116th session;
3. Strongly condemns Israel's persistent refusal to abide by those resolutions and decisions, and its policy of judaization and annexation of the City of Jerusalem;
4. Invites the Member States of Unesco to undertake all necessary action, by such means as they may deem appropriate, to put an end to this situation;
5. Thanks the World Heritage Committee for its decision to include the Old City of Jerusalem and its walls on the List of World Heritage in Danger and invites it to continue its activities for the protection and safeguarding of cultural property in the city;
6. Thanks the Director-General for the continued efforts he has made to ensure implementation of the relevant resolutions and decisions, while maintaining Unesco's presence in the city;
7. Requests the Director-General to keep the Executive Board informed of developments in the situation;
8. Decides to include this question in the agenda of its twenty-third session.'

II. COMMUNICATIONS RECEIVED BY THE DIRECTOR-GENERAL CONCERNING JERUSALEM

2. On 31 January 1984 the Director-General received a cable from the Director-General of the Arab Educational, Cultural and Scientific Organization (ALECSO), informing him of an incident that occurred during the night of 26-27 January 1984 in the Haram al-Sharif enclosure. The text of that cable, which was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 16 March 1984, with a request for his government's comments, is reproduced below:

'During the night of Friday, 27 January, a group of thugs, attempted to make their way on to the holy terrace of the hallowed sanctuary of Islam, the Haram al-Sharif in el Qods (Jerusalem), to plant grenades and explosives. Had it not been for the vigilance of the nightwatchmen, this dastardly attack would have succeeded ... The reactions of international public opinion and the justifiable indignation of the Muslim and Christian religious authorities, obliged the occupation forces to hold an inquiry and to acknowledge, on 30 January, as reported by Reuter's: firstly, that once the alarm had been raised, the group fled, leaving behind nineteen grenades and thirteen kilos of explosives, as well as ladders and ropes; secondly, that, according to the police, the grenades came from stores belonging to the Israeli army and that,

according to the Mosque guards, the criminals were armed with Uzi machine-guns which form part of the Israeli army's standard equipment. All these undisputed facts therefore confirm, if confirmation were needed, that el Qods (Jerusalem) is in constant danger ... It is now clear that while the inclusion of el Qods on the "List of World Heritage in Danger" is a necessary measure, it is no longer enough; it is now in fact the duty of Unesco's Member States to give more vigorous support to the work being done by the Organization's Director-General for the safeguarding of cultural property in the Holy City and to act in unison to ensure that the resolutions adopted by the General Conference are put into effect and that an intolerable situation is ended.

I should therefore be most grateful if you would kindly keep the Executive Board informed of developments in the situation in el Qods following this criminal attempt and would duly inform the Member States of our deep concern and our appeal to their solidarity.

Please accept, Sir, the assurances of my highest consideration and regard.'

3. On 8 February 1984, the Director-General received, through the Permanent Delegate of Jordan to Unesco, a communication from the Minister of Foreign Affairs of Jordan, concerning the above-mentioned incident. This communication was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco under cover of a letter dated 15 March 1984, accompanied by a request for his government's comments. The text of the communication is reproduced below:

'To His Excellency the Ambassador of Jordan in Paris:

I shall be grateful if you will kindly communicate the following information to the Director-General of Unesco. On 26 January 1984, a considerable quantity of explosives was discovered inside the Haram al-Sharif. Immediately after this discovery, the Muslim guards of the Haram reported that they had seen a group of people fleeing as soon as their plot was discovered, leaving the said explosives behind. Concordant accounts indicate that the explosives were intended to blow up the Dome of the Rock the following morning when the faithful would be at prayer. The Israeli newspapers published detailed information showing that the explosives were identical with those used by the Israeli army and that the assailants escaped, once they had been discovered, in an Israeli military vehicle that was awaiting them.

The Government of the Hashemite Kingdom of Jordan would like to draw your attention to the fact that this plot continues the series of acts perpetrated by the Israeli authorities since 1967, the date of the occupation of el-Qods (Jerusalem), in order to profane, damage and destroy Muslim monuments in particular, but also the Christian holy places. Jordan has supplied detailed information, at the appropriate times, about the violations of holy places, beginning with the excavations, the fire at the Al-Aqsa Mosque in 1969, and the previous attempts against the buildings of the Mosque and the faithful at prayer, particularly those carried out last year by a soldier of the Israeli army and the followers of Rabbi Meir Kahane.

The Government of Jordan emphasizes the fact that the holy places have been damaged and attacked only since the Israeli occupation, that is to say, since 1967. We cannot regard the constant assaults carried out by the Israeli authorities as unrelated to the plans for effacing any Arabo-Islamic traces from the town, since the time when they annexed it in defiance of all the

resolutions adopted by the United Nations. We hold the Israeli occupation authorities responsible for all these happenings and call upon the international community to dismiss Israel's attempts to place the blame on groups or individuals that it describes as extremist or mentally retarded. We must also stress that the absence of any effective international reaction would enable Israel to persist in its plans and would help to prepare the ground for Israel to carry out its plans in future.

The Government of Jordan would like to draw attention to the fact that the stepping up of assaults on the holy places of el-Qods, and their viciousness and brutality, pose a threat to those places. The international community must recognize the seriousness of Israel's machinations and take effective steps, worldwide, without further delay, to thwart them.

Accept, Sir

Minister of Foreign Affairs'

4. The Director-General has received a letter dated 29 February 1984, in which the Permanent Delegate of Saudi Arabia, on behalf of the Arab Group, drew his attention to the incident which occurred in the Haram al-Sharif. This letter was communicated by the Secretariat to the Permanent Delegate of Israel to Unesco on 4 April 1984, with a request for his government's comments. The text of the letter was as follows:

'Paris, 29 February 1984

Sir,

On behalf of the Arab Group at Unesco which has instructed me to do so, I have the honour to bring to your notice the special situation of the Al-Aqsa Mosque in Jerusalem resulting from an attempt to blow it up.

During the night of 27 January 1984, a group of thugs tried to make their ways into the sanctuary of the Haram al-Sharif in order to blow it up while the faithful were at their dawn prayers.

Thanks to the vigilance of the night watchmen, this criminal attempt, which would have led to a terrible disaster, was foiled in the nick of time.

The perpetrators of this dastardly attempted crime, who were seen fleeing by several witnesses, left behind on the terrace of the sanctuary nineteen grenades, thirteen kilos of explosives, ladders and ropes.

As the police of the Israeli occupying authorities actually admit, these explosives came from an Israeli army arms store.

Moreover, according to the Mosque guards, the assailants were armed with Uzi machine guns, which form part of the Israeli army's standard equipment.

This criminal attempt follows the pattern of concerted action, methodically developed since 1967, designed to efface all trace of Islam from the city of el Qods, especially the Al-Aqsa Mosque.

It continues a series of criminal acts already perpetrated, including the burning of part of the Mosque in 1979 and the attack on it, and on worshippers in it, committed in 1982 by an Israeli soldier.

All these acts confirm, if confirmation were still needed, that the city of el Qods in general and its Muslim and Christian cultural and religious historical monuments in particular, are in danger and that, unless energetic measures are taken by the international community, and by Unesco in particular, the criminal goal pursued will inevitably be finally achieved sooner or later.

The inclusion of the city of Jerusalem on the World Heritage List is not enough by itself, to thwart these plans and remove this danger, for which the occupying Israeli authorities bear full responsibility.

Referring to the relevant resolutions of the General Conference on this subject, and in particular to 22 C/Resolution 11.8, I have the honour to request you to:

1. Inform the Member States of Unesco of this situation.
2. Have any necessary inquiries and investigations carried out.
3. Bring this matter before the Executive Board at one of its forthcoming sessions so that it may take the appropriate measures required by the gravity of this situation.

I should be grateful if you would inform me of the action which you intend to take on this request.

Accept, Sir, the assurances of my highest consideration.

S. Bawazeer
Permanent Delegate of Saudi Arabia

President'

5. Furthermore, the Ministry of Education and the National Commission for Education, Culture and Science of Jordan have sent a memorandum to the Director-General on this incident. The text of this memorandum, which the Director-General received on 12 March 1984, is reproduced below:

'The Ministry of Education (Jordan National Commission for Education, Culture and Science) denounces the criminal attack of Israeli's grenades on Al-Aqsa Mosque on 26 January 1984.

The attempt which is not the first incident of Israeli plans in an intention of carrying out measures aiming at the judaization of the occupied Arab territories and the obliteration of the Islamic and Christian holy sites (is) in defiance of United Nations' resolutions and in total disrespect of world public opinion.

Noting the danger inherent in such series of violations and attacks on the holy places which started with 1969 burning of the Al-Aqsa Mosque and continued by the ongoing excavations of the Islamic historical monuments and ending with this last attempt of bombing the holy shrines which re-emphasizes the Israeli plots and its consequent challenges to the Islamic and the international communities where a big quantity of explosives were discovered at

Al-Aqsa Mosque manufactured by Israeli army which notifies that the Israeli Government and army were co-operating in this conspiracy.

The Ministry of Education (Jordan National Commission for Education, Culture and Science) appeals to Unesco to shoulder its responsibilities referred to in its resolutions and to implement its commitments towards one of the important historical sites included on the List of World Heritage in Danger by continuing its activities for the protection and safeguarding (of) the cultural property of the city.'

6. The Director-General has received from the Permanent Delegate of Israel to Unesco a communication, dated 2 May 1984, referring to the letter sent to the Director-General on 29 February 1984 by the Permanent Delegate of Saudi Arabia on behalf of the Arab Group. This communication reads as follows:

'Paris, 2 May 1984

Sir,

I have received a copy of the letter dated 29 February 1984 from the Permanent Delegate of Saudi Arabia, transmitted according to your instructions under cover of letter No. CLT/CH/01/308/18 of 4 April 1984.

With regard to this communication, we should like to make the following comments:

Following the attempt to invade the Temple Mount, the competent authorities of the Government of Israel immediately started an extensive investigation. Suspects were arrested a few days later and the indictment was duly submitted to the courts.

According to the information available to date, the persons involved were a small group of religious extremists.

As the matter is at present 'sub judice', the court's decision must be awaited and I shall certainly inform you of the progress of this case and of the verdict when it is returned.

Accept, Sir, the assurances of my highest consideration.

Meir SHAMIR
Minister Plenipotentiary
Permanent Delegate of Israel'

7. The Communication of 2 May 1984 from the Permanent Delegate of Israel to Unesco was transmitted on 5 June 1984 by the Secretariat to the Chairman of the Arab Group, the Permanent Delegate of Saudi Arabia.

8. The Permanent Delegate of Jordan to Unesco also addressed to the Director-General, by letter dated 1 June 1984, a note from the Ministry of Foreign Affairs of Jordan dated 19 May 1984 informing him of a subsidence which occurred on 26 March 1984 in the steps leading to the entrance to the Higher Islamic Council, located in the vicinity of the Al-Aqsa Mosque in Jerusalem. The texts of this letter and note were transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco under cover of a letter dated 27 July 1984 requesting the observations of her government, and are reproduced below:

'1 June 1984

Mr Director-General,

His Excellency the Minister of Foreign Affairs of Jordan has informed me of a subsidence which occurred on 26 March 1984 in the steps leading to the entrance to the Higher Islamic Council, located in the vicinity of the Al-Aqsa Mosque in the city of Jerusalem. According to the architects' reports, this subsidence is due to the excavations being carried out under the direction of the Israeli authorities in the general area of the Al-Aqsa Mosque and the Al-Haram al-Sharif, as indicated in the attached note.

The Jordanian Minister of Foreign Affairs and the Minister of Education and Chairman of the National Commission of Jordan for Unesco have kept you informed of these aggressive acts perpetrated with the full knowledge of the Israeli authorities and under their auspices, endangering the integrity of the monuments, property and holy places of Jerusalem and threatening them with destruction. These measures are part of an uninterrupted series of aggressive actions, the last of which took place on 26 January 1984 when a group of Israelis planted explosives obtained from the Israeli armed forces with a view to destroying the Al-Aqsa Mosque. On behalf of the Government of the Hashemite Kingdom of Jordan, I submit this complaint in the hope that Unesco and its subsidiary bodies will take appropriate measures to put an end to the repeated acts of aggression committed by Israel against the religious and archaeological monuments of the city of Jerusalem and to ensure the protection of these monuments, particularly since the World Heritage Committee has placed the Old City of Jerusalem and its remains on the List of the World Heritage in Danger.

Please accept, Mr Director-General, the assurances of my highest consideration.

Hani Al-Khasawneh
Ambassador, Permanent
Delegate to Unesco

Note from the Jordanian Ministry of Foreign Affairs

(19 May 1984)

On 26 March 1984 a subsidence took place in the stairs leading to the entrance to the Higher Islamic Council in the vicinity of the Al-Aqsa Mosque. A hole three metres long, two metres wide and over ten metres deep appeared, revealing a long tunnel dug by the Israeli Department of Antiquities parallel to the outside western wall of the Al-Aqsa Mosque. This tunnel runs from the Al-Maghariba Gate past the Chain Gate, the Cotton Market and the Iron Gate to the Gate of the Higher Islamic Council (also known as Al-Madrassa Al-Manjaqiyya Gate), which houses the Waqf administration.

The digging of this tunnel caused the destruction of four steps and the appearance of cracks in the outside and inside walls of the Council building.

Mr Adnan Al-Hussaini, architect of the Waqf, has established that this subsidence was caused by the excavations carried out under the auspices of the Israeli Ministries of the Interior and Religious Affairs in the search for what are described as the remains of the northern part of the Wailing Wall.

He stated that these excavations are endangering not only the Waqf administration buildings but also all the historic Islamic monuments situated along the ramparts and within the area of the Haram al-Sharif. In effect, earth has been removed during these excavations and this has weakened the foundations which can no longer support the buildings above them. Cracks will gradually appear, threatening the buildings with total collapse.

In its issue of 30 March 1984, the newspaper Al-Sha'b reproduced an item published by the newspaper Haaretz, in which Mr Moshé Zakulowitch, director of the Holy Places Division of the Israeli Ministry of Religious Affairs, stated that the excavations would be continued and would be extended to the northern part of the Haram and the courtyards of the Al-Aqsa Mosque, which are located between Al-Ghawanima Gate and the Tribes' Gate. The present digs are an extension of the excavations begun by the Israeli authorities in 1967 and extended first to the southern and then to the western parts of the Al-Aqsa Mosque.

This statement shows once again that the Israeli occupying authorities refuse to take into consideration the disastrous consequences of the excavations in contempt of all the decisions taken by international bodies, particularly the Security Council and Unesco. Despite the efforts of the Islamic organizations of Jerusalem to repair the cracks which have begun to appear in most of the historic Islamic monuments around the Al-Aqsa Mosque, due to the continuation of the Israeli excavations, the collapse of these monuments appears to be imminent. Accordingly, a global plan needs to be drawn up for the strengthening of these monuments and the repair of the cracks which have begun to appear, and the excavations must be halted at once.'

III. MISSION OF THE PERSONAL REPRESENTATIVE OF THE DIRECTOR-GENERAL

9. In pursuance of 22 C/Resolution 11.8, the Director-General instructed his personal representative, Mr Raymond Lemaire, Professor at the University of Louvain, to visit Jerusalem, which he did from 21 to 27 July 1984. Following his mission, which was carried out after consultation with the Government of Israel, Professor Lemaire delivered to the Director-General his report, which is reproduced in full below:

'1. Purpose of the mission: to examine the cultural heritage in Jerusalem. The contents of this report refer back to the earlier general report dated 6 May 1983.

2. Persons met:

Israeli:

- Mr P. Eliav, Deputy Director-General of the Ministry of Foreign Affairs;
- Mr U. Manor, Deputy Director of the Human Rights Department of the Ministry of Foreign Affairs;
- Mrs A.M. Lambert-Finckler, Ambassador, former Director of the Human Rights Department of the Ministry of Foreign Affairs;
- Mrs Vered, Adviser for Jerusalem to the Minister of Foreign Affairs;
- Mr Minerbi, Inspector-General, Ministry of Foreign Affairs;

- Mr Gabai, Director-General of the Ministry of Justice;
- Mr U. Hasson, Deputy Attorney-General;
- Mr T. Kollek, Mayor of Jerusalem;
- Mr S. Ovnat, Deputy Mayor of Jerusalem;
- Mr M. Zylka, Adviser to the Mayor of Jerusalem;
- Mr Y. Yaacobi, Director of the Jerusalem Development Company;
- Mr N. Kidron, Engineering Adviser to the Ministry of Religious Affairs;
- Mr D. Bahat, Chief Archaeologist of the City of Jerusalem;
- Mr N. Avigad, Professor at the Hebrew University;
- Mr Y. Shilo, Professor at the Hebrew University;
- Mr P. Bugod, architect;
- Mr D. Cassouto, architect;
- Mr Rachmaninov, architect;

Arab:

- Mr F. Hazine, Director of the Waqf in Jerusalem;
- Mr Y. Natsheh, Director of the Department of Islamic Archaeology;
- Mr Y. Awad, Resident Architect of the Al-Aqsa Restoration Committee;
- Mr A. Hussein, architect of the Waqf;
- Mr K. Salameh, Director of the Al-Aqsa Library;

Except for the attempted attack on the Haram al-Sharif, few new problems have arisen as regards the safeguarding of the architectural heritage of Jerusalem since my last visit from 13 to 16 October 1983. A number of questions raised in the previous reports can be considered no longer relevant.

3. The attempted attack of the Haram al-Sharif

During the night of 26-27 January 1984, the guards at the Haram al-Sharif discovered within its precincts a batch of explosives and weapons left behind by a group of people who fled the scene. Over the next few days the Israeli police arrested twenty-seven people involved in this new attempted attack on the Islamic sanctuaries of the Haram. Mr Gabai, Director-General of the Ministry of Justice, and Mr U. Hasson, Deputy Attorney-General, gave me the following information on the state of the investigations and the legal action taken by the Israeli judicial authorities. According to this information, there was a complex and far-reaching plot aimed among other things at blowing up the mosques of Al-Aqsa and the Dome of the Rock. For this purpose, weapons and explosives had been stolen from the army. The conspiracy was in fact not

new; it appears to have begun shortly after the visit of President Sadat to Jerusalem and the intention had been to put it into effect before the return of Sinai to Egypt.

A number of factors delayed the implementation of the plot including fears on the part of some concerning the international consequences of such an act. The strengthening of the Israeli guard at the entrance to the Haram following the attack carried out by Alan Goodman on 13 April 1982 made it more difficult to execute, and there were apprehensions among the conspirators at having to shoot at Israeli soldiers. Moreover, rumours of possible attacks had led the Israeli Government to strengthen the guard around the Haram still further.

The government takes an extremely serious view of this matter. All those involved have been arrested. Two of the conspirators, who pleaded guilty, have already been sentenced - one to ten years' imprisonment, the other to sixty months. The trial of those who have not pleaded guilty will begin next September.

4. The excavations

4.1 The tunnel dug, under the auspices of the Religious Affairs authorities, beneath the Arab properties along the western wall of the Haram al-Sharif is in the same state as on my previous visit in November 1983, except for the fact that consolidation work using reinforced concrete has been carried out along three-quarters of the section dug during 1982 and 1983. This work has been supervised by the engineer N. Kidron and appears to have been solidly carried out in accordance with correct engineering procedures. It will probably be completed in two months' time. The tunnel's present length, from the arcade under the Al-Madrassa Al-Tankiziyya, is, according to Mr N. Kidron, 305 metres.

A new and very important element in this situation is the decision taken by the Prime Minister and the Minister of Religious Affairs to halt all work in the tunnel, except that required for consolidation and maintenance purposes. Following my last visit to the site, the Director-General of the Ministry of Religious Affairs had ordered a halt to the work. That order was confirmed by the Ministerial decision reported in the journal 'Haaretz' of 22 April 1984. The decision was taken following energetic representations by Mr T. Kollek, Mayor of the City, to the authorities concerned after serious damage had been detected in the Al-Madrassa Al-Manjakiyya, the headquarters of the Islamic Council of Jerusalem, which is situated above a section of the tunnel dug in 1983.

As was to be expected, the digging of the new section of the tunnel has caused movements in the mass of rubble and filling material extending to a height of some nine metres above the Roman soil level followed by the excavation. The same phenomenon had already occurred following the digging of the first part of the tunnel, which is at the root of the settlement and cracks to be found in a number of buildings constructed above, some of which form part of the fundamental Islamic heritage of Jerusalem. Of these, the Al-Madrassa Al-Jawhariyya and the Al-Kurd Hospice were the subject of comments in most of my reports in the period 1971 to 1976. I pointed out last November that movement was taking place in the Al-Madrassa Al-Manjakiyya, among other places in the great staircase and in certain walls and vaults. Since then, some of the cracks have worsened. More serious still is the collapse last April of part of the staircase; some of the steps have fallen into a hollow created by the movement

of the soil above the tunnel. The Al-Madrassa Al-Manjakiyya is situated above a widened section of the tunnel which at that point incorporates some high cisterns whose vaulting was considerably weakened and therefore constitutes a fragile infrastructure for the building above it. Since the level at which the tunnel was dug remained constant, the result is that at certain points the earth has been excavated well below the walls of cisterns. These therefore rest on banked-up rubble which, though well compacted, is cut off vertically in the plane of the walls. I noted this very dangerous situation in November 1983 and at that time issued a serious warning about it. Since then everything has been consolidated by a reinforced concrete sheathing. In my opinion, the structure of the tunnel is now solid and there is no danger of the building above it collapsing. However, it is very probable that slight movements will continue to cause cracks in the edifice for some time to come, probably for several years. The case of the Al-Madrassa Al-Jawhariyya, to which I shall return later, is a good example of such a process.

The staircase has been repaired according to correct engineering procedures and the entire building is under observation. Proposals for consolidation have already been made by Mr Kidron: they are completely inadequate from the structural point of view. In addition, they take no account of the fact that the Madrasa is a historical monument and that any work done should follow the rules prescribed for such edifices. But, from the point of view of stability and security, there appears to be no urgency. It is preferable to wait until the probable movement of the subsoil has stopped. In the interim, it would be advisable to carry out a complete expert survey of the building, and, depending on the results of such a survey possibly some temporary works. Given the importance of the building both as a monument and because of its symbolic significance (as the headquarters of the Islamic Council), I think it desirable that the survey should be carried out by a specialist engineer acceptable to both parties - the Waqf and the Ministry of Religious Affairs, which is responsible for the damage. In view of the tense atmosphere between the parties concerned, it is unlikely that an Israeli engineer would be acceptable to the Arab side. The choice of a foreign specialist would therefore seem to be the best solution. His report, describing the state of the building in detail, would serve as a reference document for the future; it should also contain whatever suggestions were necessary to ensure the stability of the building in the short term.

The idea of a survey seems to have been accepted on both the Israeli and the Waqf sides. The Israeli authorities favour the appointment of an engineer from the Technical University of Haifa. For the reasons given above, it is desirable that they should accept without delay the appointment of a foreign engineer, preferably an English speaker.

No precise chart of the tunnel, other than a partial surface map, seems to exist at present. This map does not show the location of the buildings above. Several requests have been made for a series of vertical cross-sections of the tunnel and the buildings above to be drawn. Such cross-sections would make for a better understanding of the processes taking place in certain buildings and would make it possible to identify in advance danger zones where precautionary measures should be taken. It is strongly recommended that such cross-sections be drawn up as soon as possible.

It has also been frequently suggested that those in charge of the tunnel should invite the Waqf engineers, Messrs A. Hussein and I. Awad, to inspect the tunnel and the substructure at the foot of the southern wall of the

Haram at least once a year in their company. Such an inspection would help to clarify the situation and would ease the tensions surrounding the question of the tunnel and possible extensions under the Haram. When I spoke about this question with Minister Y. Burg on 6 April 1983, I believed that the principle of such an inspection had been accepted. However, it has not been authorized at the time of writing.

It is regrettable that the tunnelling, which constitutes an excavation in the deep subsoil of Jerusalem, has not been monitored by an experienced archaeologist. While not directing the work, which is in principle regrettable and can only be condemned, he could have been responsible for recording in scholarly fashion the archaeological information yielded by the subsoil. Now that the archaeological remains exposed by the digging have been covered for ever by concrete reinforcements, whole pages of the ancient history of Jerusalem may be lost for all time.

4.2 The work on the Ophel hill is practically complete. It consisted not so much of fresh excavations as of the cleaning, consolidation and presentation to good effect of the remains of the first Jerusalem wall brought to light by Kathleen Kenyon in 1961-1967. The area excavated by her has been slightly enlarged, mainly on the land acquired during the British mandate by the Rothschild family. Professor Y. Shilo, who directed the work, confirmed to me that no fresh excavation is planned on this site. According to him the whole operation, including removal of the unstable, rubble, is coming to a close.

A system for monitoring the stability of the most critical area has been set up. Several clinometers have been installed on the slopes of the hill, which will make it possible in future to keep a check on any movements of old excavation rubble left in situ and to take action where necessary.

4.3 The second-century Roman remains at the Damascus Gate have been entirely uncovered. They can be reached beneath a concrete apron on which are laid the tiles of the small square within the walls behind the gate. New shops have been constructed and others renovated in this busy Arab commercial area. The Damascus Gate excavations were begun during the British mandate. The interiors of the flanking towers, one of which contains an Umayyad oil mill, have been cleared out over the last five years and the work is complete.

4.4 At the present time, it is to be noted that all the excavations have been halted inside and in the vicinity of the old city of Jerusalem. Except for the tunnel near the Haram al-Sharif, where work resumed two years ago after an interruption of nearly ten years, no notable excavation has been carried out since 1979. Since then, only occasional soundings connected with infrastructure or safety work have been made in the city.

For the first time, a governmental decision to halt excavations has been taken. It has the digging of the 'tunnel' in view. Furthermore, no other excavations are announced for other sites. What is new is the statement that no further excavations will be carried out on the Ophel site, where it was previously feared that a vast plan was going to be carried out in addition to the clearance work necessary for safety reasons.

5. The work on providing amenities and public areas is continuing in the old city but is proceeding more slowly than before. It chiefly comprises:

5.1 The renewal of sewers and pavings. Since November 1983 the work has been mainly taking place in the Christian quarters of the city, between the Holy Sepulchre and the Damascus Gate. As in every other part of the city, the new paving consists of slabs of natural Jerusalem stone. In several places, parts of the Roman paving discovered when the sewers were being renewed have been brought up to the present street level. Throughout the Armenian and Christian quarters, the television aerials have been removed and replaced by a cable distribution system.

5.2 The establishment of the green belt around the Wall of Süleyman the Magnificent is being completed. Work has been under way since 1968 and has consisted mainly of clearing rubble, uncovering the wall to its original height and, possibly, the rock on which it rests, planting trees and shrubs and, in the southern part where the wall runs through the City of Herod which extended well beyond the present limits, carrying out excavations described in many previous reports. All these excavations were halted several years ago except for a recent sounding between the Damascus Gate and Herod's Gate, where fragments of the glacis which protected the city wall in Crusader times have been brought to light.

6. Birkat Israel. Public works on this site, which covers the location of one of the largest open-air water cisterns of the ancient city, is at present a cause of tension between the municipality and the Waqf. The cistern was filled in at the beginning of the century and its site is now occupied by a car-park and by temporary UNRWA huts. The whole area looks extremely shabby. The Waqf, which is the owner of this site, and the municipality are in agreement over the need to do something about it since the site is in the neighbourhood of the Lion Gate used by millions of Muslim and Christian pilgrims. Talks are under way between the two parties on a project to satisfy both. As the Waqf leaders see it, it is important that property and tenure rights should in no way be called in question. They therefore consider that the plan approved by both parties must be carried out by them and at their expense. They also consider, rightly, that this work should show the inspiration of Islamic art.

7. The Al-Madrassa Al-Jawhariyya has been regularly examined by me since 1971. It will be remembered that the building, which dates from the fourteenth century, stands over the oldest section of the tunnel and its stability has been seriously impaired in recent years. The ground appeared to be stabilized but in the past few months, new movements have been observed which have caused the subsidence of a number of stone courses at the base of the wall supporting the covered passageway to Ribat Kurt. The recent ground movement caused by the digging of the tunnel, nearly ten years after the placing of permanent supports, shows how dangerous this type of work is, even when carried out with care, and how long the stabilization period can be after ground has been disturbed by excavations. This leads one to be cautious in assessing the extent of the damage caused to buildings.

The Al-Madrassa Al-Jawhariyya was given temporary strengthening a few years ago. The work was carried out using a very crude technique, which although it did indeed stabilize the building, also led to extensive damage to the interior, chiefly in the upper rooms where the walls were reinforced with substantial concrete slabs to which the masonry outside was tied. Things cannot stay as they are, because this can in no way be described as the full and scientific restoration of the building that those responsible for the damage agreed to undertake. When the mayor of the city was informed of this, he decided to open talks with the Waqf and the Ministry of Religious Affairs so that the restoration can be undertaken without delay, by acknowledged specialists in co-operation with the architects of the Waqf.

8. The Citadel is one of the chief monuments of Jerusalem. It comprises elements of widely varying date, extending from the Hasmonean era to the Ottoman era. Major excavations have been carried out at various periods within the great central courtyard. The most recent were carried out in 1968-1969 under the direction of A. Amiran and A. Eytan. They brought to light many substructures, frequently of great interest from the point of view of the history of the site and the city. These remains have not been covered over but have been strengthened and partially restored. They give an appearance of clutter and seriously detract from the monumental form and indeed from the architectural comprehensibility of the Citadel. The present arrangement is thus scarcely advantageous to the building. It would be desirable for a scheme more consonant with the site to be studied and put into effect. This might be provided by a concrete platform coinciding with the original soil levels at the time of the construction of the Citadel and covering the most interesting parts of the excavations, which would still be accessible to specialists. An outline in natural materials of different colours, set into the paving of the courtyard, would give visitors to the monument an idea of its archaeological history.

9. Work on the Haram al-Sharif

9.1 Restoration work on the Al-Aqsa Mosque is continuing. The restoration of the cupola has been completed and is of very high quality. The mosaics on the great arcades and pendentives need to be consolidated and restored. It is very much hoped that the help of an expert on the restoration of ancient mosaics will be available before the work is undertaken. Expert advice is also required for the covering of the exterior of the dome with lead plates. These have been reconstituted to the original measurements, using old lead. There is, however, no worker specialized in laying this type of covering available on site to teach local workers the techniques involved.

9.2 The restoration of the Dome of the Chain is being studied. The twelfth-century ceramic tiles have been carefully removed.

9.3 The restoration of the Golden Gate is nearing completion. The building has been cleaned and repointed with lime grouting. The work has been carried out in compliance with normal standards. It is perhaps regrettable, however, that the ancient flagstone paving should have been repointed with dark grey cement. From the technical standpoint, this is no doubt a good idea since cement mortar is more resistant, but the result is aesthetically unpleasing.

9.4 I revisited the Stables of Solomon, which are one of the most remarkable sites in the Haram al-Sharif. The derelict state of the huge underground vaults is distressing. They have been taken over by the pigeons, which are the cause of damage resulting not only from soiling by a thick layer of droppings but also from the action of harmful salts deriving from those excrements, which may eventually endanger the stones of the building.

10. The Department of Islamic Antiquities of the Waqf is pursuing the task of drawing up a systematic inventory of the Islamic monuments of the Old City. This inventory includes very exact, large-scale architectural drawings of the most outstanding buildings. Several dozen monuments have been most carefully surveyed in this way.

11. Cleaning, consolidation and conservation work has just been started at the Al-Madrasa Al-Kilaniyya, one of the most important Mameluke monuments of

the lower city. The programme of work as outlined to me by Mr Natsheh, is indicative of well-advised caution, in the absence of the specialized work-force required to embark on proper restoration work on a monument of this nature.

12. Considerable efforts have been made in recent months by Mr K. Salameh, the Director of the Al-Aqsa Library. A great many manuscripts have been micro-filmed and two catalogues published. There can be no doubt, however, that the situation remains critical as regards the state of conservation of many manuscripts suffering damage from mould and insects. According to Mr Salameh, the situation is equally disquieting in other depositories in the city. No equipment or specialized staff are available locally to give the works the necessary treatment. Urgent measures are required if basic source material concerning the history of Jerusalem is to be saved. In that connection, it might perhaps be desirable to consider the possibility of bringing all the Arab manuscripts of Jerusalem together centrally in one of the buildings of the Haram, which should be equipped for the treatment and conservation of books. Given the humid conditions in all the ancient buildings on the site, the equipment required would certainly need to include an adequate air-conditioning plant. The purchase of equipment for treating the books and the training of specialized staff are both matters of great urgency. A report on the question was drawn up in April 1983 by Mr G. Brannahl, President of the International Association of Archives, Library and Graphic Art Restorers.

13. A Museum of Palestinian Folk Arts and Folklore was established in 1979 in the Islamic Cultural Centre in Jerusalem. It is being most devotedly managed by Mrs Z Hussein. Many traditional costumes and everyday objects or things used in crafts which have disappeared or are disappearing have been assembled there. The museum has no proper basic equipment and is short of specialized staff more particularly for the conservation and restoration of fabrics. The curator's task is made very difficult by the fact that the museum has no independent financial resources. There can, however, be no doubt that the establishment of this museum was timely, since the very radical changes that are at present taking place in the Arab society of Jerusalem seem likely to result, very shortly, in the disappearance of many customs, particularly as regards traditional costumes and domestic equipment. It is important for the history of Arab culture in Jerusalem that evidence of these should be preserved.

Professor R.M. LEMAIRE
4 August 1984'

IV. APPLICATION OF THE CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT (THE HAGUE, 14 MAY 1954)

10. At its 114th session, the Executive Board was informed, firstly, that Professor H.R. Sennhauser (of Swiss nationality) had agreed to carry out the functions of Commissioner-General for Cultural Property accredited to the Government of Israel and, secondly, that the steps taken with a view to the appointment of a Commissioner-General for Cultural Property to be accredited to the Governments of the Hashemite Kingdom of Jordan, Lebanon and the Syrian Arab Republic had had to be started afresh, since Professor C. Brandi (of Italian nationality) had been unable to accept the appointment. As soon as these steps have been successfully completed, the Director-General will make the necessary arrangements to enable the Commissioners-General to discharge their task at the earliest possible date.

11. In this document, the Director-General conveys to the Executive Board all the information concerning Jerusalem in his possession at 10 August 1984. He will continue to do everything within his power to ensure that the resolutions of the General Conference and the decisions of the Executive Board are put into effect and he will spare no effort with a view to the preservation of the City of Jerusalem, which belongs to the heritage of all mankind.

ANNEX

11.8 **Jerusalem and the application of 21C/Resolution 4/14**

The General Conference,

Recalling the Constitution of Unesco and its objectives relating to the preservation and protection of the world heritage of monuments of historical and scientific value,

Considering the exceptional importance of the cultural property in the City of Jerusalem, not only to the countries directly concerned but to all humanity,

Recalling all the relevant resolutions and decisions adopted by the General Conference and the Executive Board of Unesco, in particular 21C/Resolution 4/14,

Recalling that the General Conference, by that resolution, invited the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, and invited the Director-General to keep a constant watch on the execution of the resolutions and decisions concerning Jerusalem,

Having noted the report contained in document 22C/90, and in particular the report (116EX/18) submitted by the Director-General to the Executive Board at its 116th session,

Considering with consternation and concern that the Israeli occupying authorities are persisting in their refusal to apply the above-mentioned resolutions and decisions,

Noting specifically:

- (a) that those authorities are continuing to carry out excavations and are undertaking civil engineering and building operations detrimental to the historical and cultural character of the Holy City,
 - (b) that the archaeological excavations and constructions begun and continued since 1967 are causing irreparable damage and harm to the Holy City of Jerusalem,
 - (c) that the Al-Aqsa Mosque is more and more seriously and gravely endangered as a result of excavations and of the acts of armed aggression that have been perpetrated against it by fanatical groups,
 - (d) that the objective of the establishment of Jewish colonies around the City of Jerusalem and of small Jewish religious communities inside the city is the judaization of the City of Jerusalem,
- Considering further* that, in persisting in their policy of annexation of Jerusalem, the Israeli authorities are deliberately refusing to abide by the decisions of the United Nations and Unesco in the matter,

Considering that the above-mentioned policy and practices, which have repeatedly been denounced and condemned by the international community, constitute a constant violation of the Charter of the United Nations, the Constitution of Unesco and the international conventions and recommendations relating to the protection of cultural property in the occupied territories,

1. *Reaffirms* the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;
2. *Endorses* decision 5.4.1 adopted by the Executive Board at its 116th session;
3. *Strongly condemns* Israel's persistent refusal to abide by those resolutions and decisions, and its policy of judaization and annexation of the City of Jerusalem;
4. *Invites* the Member States of Unesco to undertake all necessary action, by such means as they may deem appropriate, to put an end to this situation;
5. *Thanks* the World Heritage Committee for its decision to include the Old City of Jerusalem and its walls on the List of World Heritage in Danger and *invites* it to continue its activities for the protection and safeguarding of cultural property in the city;
6. *Thanks* the Director-General for the continued efforts he has made to ensure implementation of the relevant resolutions and decisions, while maintaining Unesco's presence in the city;
7. *Requests* the Director-General to keep the Executive Board informed of developments in the situation;
8. *Decides* to include this question in the agenda of its twenty-third session.

Hundred-and-twenty-first Session

121 EX/11
PARIS, 15 April 1985
Original: French/English

Item 5.4.1 of the provisional agenda

JERUSALEM AND THE IMPLEMENTATION OF 22 C/RESOLUTION 11.8

SUMMARY

In resolution 11.8 adopted at its twenty-second session, the General Conference requested the Director-General to keep the Executive Board informed of developments in the situation regarding cultural property in Jerusalem. After examining the information which the Director-General submitted to the Executive Board at its 120th session, the Board invited the Director-General in 120 EX/Decision 5.3.1 'to take whatever steps he deems necessary to obtain the additional detailed information required, and to report to the 121st session of the Executive Board'. In this document the Director-General submits to the Executive Board a report on the action he has taken to give effect to the above-mentioned decision.

I. INTRODUCTION

1. At the 120th session of the Executive Board, the Director-General informed the Board of the action taken to give effect to 22 C/Resolution 11.8 of the General Conference and also of the communications which he had received on the safeguarding of the cultural heritage of Jerusalem (document 120 EX/14).

2. After examining this document, the Executive Board adopted 120 EX/Decision 5.3.1, the text of which is annexed hereto and includes the following three paragraphs:

'Considering it necessary, after examination of the above-mentioned report and in the light of the relevant discussions, to provide additional detailed information, in particular on the following:

- the effects of the digging of a tunnel along the western wall of Haram al-Sharif; the experts' study on the fabric of the Al-Madrassa Al-Manjakiyya,

Considering also that the Israeli occupation authorities have not yet replied to the letter of the Director-General dated 27 July 1984,

Invites the Director-General to take whatever steps he deems necessary to obtain the additional detailed information required, and to report to the 121st session of the Executive Board.'

II. COMMUNICATION RECEIVED BY THE DIRECTOR-GENERAL CONCERNING JERUSALEM

3. The Permanent Delegate of Israel sent the Director-General a letter dated 22 February 1985, which is reproduced below:

'Paris, 22 February 1985

Sir,

May I refer to my letter dated 2 May 1984 concerning an attempt to invade the Temple Mount in Jerusalem.

Two of the defendants are hospitalized for medical care and against the third an action is brought in a court of law.

Thus the matter is still 'subjudice' until the court's verdict is pronounced.

Accept Sir, the assurances of my highest consideration.

Meir SHAMIR
Minister plenipotentiary
Permanent Delegate of Israel'

4. The Permanent Delegate of Israel's communication of 2 May 1984, referred to in the above, was brought to the notice of the Executive Board at its 120th session (cf. document 120 EX/14, paragraph 6).

III. MISSION OF THE PERSONAL REPRESENTATIVE OF THE DIRECTOR-GENERAL

5. In pursuance of 22 C/Resolution 11.8 of the General Conference and 120 EX/Decision 5.3.1 of the Executive Board, the Director-General instructed his personal representative, Mr Raymond Lemaire, Professor at the University of Louvain, to visit Jerusalem from 5 to 9 March 1985. Following his mission, which was carried out after consultation with the Government of Israel, Professor Lemaire delivered to the Director-General his report, which is reproduced in full below:

1. Date of the mission - 5 to 9 March 1985.
2. Purpose - to examine the cultural heritage of Jerusalem, particularly in connection with the problems mentioned in my general report submitted to the 120th session of the Executive Board or raised during the discussion of item 5.3.1 of its agenda.

3. Persons met:

3.1 Israeli:

Mr T. Kollek, Mayor of Jerusalem;

Mr P. Elian, Deputy Director-General of the Ministry of Foreign Affairs;

Mr D. Ben Dov, Director of the Human Rights Department of the Ministry of Foreign Affairs;

Mr I. Gerberg, Mr Ben Dov's Deputy Director;

Mrs Y. Vered, Adviser for Jerusalem to the Minister of Foreign Affairs;

Mr A. Eytan, Director of the Department of Antiquities of the Ministry of Culture;

Mr A. Byran, Honorary Director of the Department of Antiquities, Member of the National Commission for Unesco;

Mr A. Avigad, Professor at the Hebrew University;

Mr D. Bahat, Conservator of the Monumental Heritage of Jerusalem, Department of Antiquities;

Mr Y. Yaacovy, Chairman of East Jerusalem Development Ltd;

Mr N. Kidron, Engineering Adviser to the Ministry of Religious Affairs;

Mrs R. Sivan, Curator of the Museum of the Citadel, Jerusalem;

Mr P. Bugod, architect;

Mr N. Melzer, architect.

3.2 Arab:

Mr Y. Awad, Resident Architect of the al-Aqsa Mosque and Haram al-Sharif Restoration Committee;

Mr Y. Natshe, Director of the Department of Islamic Archaeology;

Mr H. Ahmad Abdallah, Director of the Archives of the Higher Islamic Council and Wage Administration of Jerusalem;

Mr F. Hazine, Director of the Waqf, and Mr A. Hussein were absent from Jerusalem at the time of my visit.

4. The excavations

To my knowledge and on the basis of a detailed inspection of the city, no new site for excavation has been opened since my visit in July 1984. Furthermore, none of the sites previously excavated shows any signs of recent activity. It therefore appears that all excavations have been halted in Jerusalem at present. Moreover, during my conversations with officials of the Department of Antiquities, no mention was made of any new project of this sort.

It should be noted:

(1) That a project is currently being prepared by the architect, Nachum Melzer, for the permanent consolidation and presentation to good effect of the remains of the wall on the east slope of the Ophel hill (City of David). The project covers the remains unearthed during work carried out on the site over almost a century, particularly by Kathleen Kenyon (1967-1968) and Y. Shilo (1978-1983). The walls and pitching built over the last few years to consolidate the side of the hill will be planted over in the course of the works. According to the archaeologists in charge, the project marks the end of all archaeological activities on this site.

(2) The work at the Damascus Gate to uncover Roman remains has been completed. There are no excavations in progress. The remains of the Roman Gate have been consolidated. A site museum of great importance for the town of Aelia Capitolina, which was rebuilt by the Emperor Hadrian after the destruction of the City of Herod in the year 70, has been established in the basement of the structure and under the public square within the walls immediately behind the Gate.

(3) The part of the site opened by Professor Mazar in his day to the south and west of the Haram al-Sharif and located inside the wall is at present suffering from an obvious lack of maintenance. The uncovered remains, which date from the earliest period of the city's history down to the Umayyad period, are certainly not endangered, but the site is definitely in need of cleaning and maintenance. On the other hand, the part of the same site located outside of the wall, which includes mainly Roman, Byzantine and Umayyad remains, is well maintained and can be visited. There is no need to discuss here the unfortunate hypothetical reconstruction work carried out on the site three years ago, which is highly debatable in aesthetic terms. It has been dealt with at length in previous reports.

The attention of the responsible authorities has been drawn to the possible consequences of the present situation. It is their intention to take prompt corrective action. It has been confirmed that no new excavations are planned in this sector, nor any extension to other sites adjoining the Haram al-Sharif.

5. The tunnel

The tunnel which has been dug under the buildings of the Arab quarter along the Western wall of the Haram al-Sharif has not been carried any further; its length is the same as it was in July 1984. As is known, the tunnelling was halted in April 1984 by a decision of the Prime Minister of Israel, mainly as a result of serious problems of stability at al-Madrassa al-Manjakiyya, the Headquarters of the city's Islamic Council (cf. my reports of 6 May 1983, 19 October 1983, and 4 August 1984).

The consolidation of the tunnel has been completed, with the exception of two small sections which will be completed shortly. Major consolidation work using reinforced concrete has been carried out under al-Madrassa al-Manjakiyya, where large ancient cisterns are located.

This work ought to ensure the overall stability of the buildings standing over this part of the tunnel, but as the excavations have disturbed the rubble on which these buildings rest, they could undergo smaller movements in the future. An expert on stability acceptable to the two parties has not yet been appointed in accordance with the wish expressed by the Executive Board in October 1984 in decision 5.3.1 (120 EX/14). I have drawn the attention of the Israeli authorities to this fact and suggested the names of some experts of international reputation.

Furthermore, the Waqf architects have not yet received the plans and cross-sections of the tunnel; nor have they been invited to visit it. This has been proposed on several occasions, and the idea was accepted by Mr Burg, the Minister of Religious Affairs, in April 1983 but as yet no action has been taken. Efforts have been made to relaunch the proposal.

I was not able to meet the architect responsible for Waqf properties, Mr A. Hussein. According to Mr Awad and Mr Natshe, who belong to the same administration and regularly visit the Islamic Council building, there has been no major new damage since my last visit in October 1984.

6. The work on providing amenities and public areas

6.1 The renovation of sewers and paving has continued, mainly in the Christian quarter and in the northeastern sector of the Arab quarter. However, as in every other part of the city, the streets have been paved with local natural stone. I was not informed of any problems of stability or other recent damage resulting from this work. Moreover, according to Mr Yaacovy, Chairman of East Jerusalem Development Ltd., the damage caused by previous work has been repaired and buildings of uncertain stability have been reinforced, generally by means of flying buttresses built over the street in accordance with the normal practice in Jerusalem. In this connection, perhaps it is worth noting that the proliferation of such buttresses might alter inordinately the appearance of certain picturesque streets in the city and thus impair their traditional image and balance.

6.2 According to a recent report prepared by East Jerusalem Development Ltd., the following work has been carried out to date in connection with the renovation of infrastructures, paving, and amenities within the wall of Süleyman the Magnificent:

renovation of infrastructure	7,750 m
renovation of paving	33,400 m ²
drainage	5,853 m
renovation of sewers	10,416 m
new water-supply conduits	12,100 m
buried telephone cable	30,825 m
buried television distribution cable	20,585 m

buried street lighting cable	12,365 m
street lighting installations	505
electricity transformer stations	4
reinforced buildings	181
buildings demolished because of inadequate stability	5

The map appended to the report prepared by East Jerusalem Development Ltd., indicates that this work covers practically all of the Armenian, Jewish and Christian quarters and also a large part of the Arab quarter, with the exception of the sector of the city situated to the northeast and bounded by the wall, the former Decumanus East (el Wad Street) and the Via Dolorosa. In this sector, only Bab Hutta Street and a few adjoining alleyways have been included. The removal of television aerials does not affect the Arab quarter.

The renovation of amenities in this quarter is planned to take place at a later stage. According to Mr Kollek, the city's Mayor, the resources available for the provision of amenities and development of public areas have not been appreciably curtailed, in spite of the substantial budgetary restrictions imposed on the municipality of Jerusalem because of the general economic situation of the country.

7. The landscaping around the wall built in the sixteenth century by Sultan Süleyman has been completed. The same applies to the walk along the parapet of the wall.

Since October 1984, work has been carried out on the Dung Gate in the southern side of the wall, which was originally a very narrow gate and was widened during the Jordanian period between 1947 and 1967. The widening of the gate has been maintained, as this is one of the main access routes to the Wailing Wall and the lower part of the city. However, the concrete girder has been replaced by a flattened arch, above which the remains of the original gate have been preserved and restored.

The road which enters through this gate is being improved and vehicles and pedestrians separated because of the volume of traffic.

8. Birkat Israel. According to the Mayor of Jerusalem, the talks between the municipality and the Waqf authorities on the clean-up and development of this site have resulted in a solution satisfactory to both parties which will shortly be implemented.

9. Al-Madrassa al-Jawhariyya remains in the same state as in October 1984. The Israeli authorities, who were responsible for the damage and who financed the temporary strengthening work, are still willing to carry out or to bear the costs of restoration, but constructive contacts have not yet been established with regard to this matter between the parties involved. Amongst other questions, there is doubt as to who will be in charge of the work. Should the party responsible for the damage carry out the work with the full consent of the owner, or should the latter take the initiative with the payer's agreement? There is a will to resolve the problem on both sides, and thus it is probable that an agreement will be reached shortly and that constructive contacts will be arranged between the parties concerned.

10. The Waqf services, and the Department of Islamic Archaeology in particular, have undertaken the restoration of al-Madrassa al-Kilaniyya. The work, which concerns the façade for the most part, is being carried out with great care and after detailed archaeological study. However, as the occupants are to remain in their homes during the work and the practical and utilitarian improvements which they have made are to be preserved, there is no possibility of achieving either a real clean-up or the reinforcement and restoration that would ensure at once the survival of the building, the effective enhancement of its architectural qualities, and its use as decent and satisfactory accommodation. Certainly the order and dignity of the façade will be restored, but it will not be possible for the interiors of the buildings to be adequately refurbished or upgraded to the health standards required for minimal acceptability as living quarters. It should not be forgotten that most of the old buildings, mainly in the lower part of the city, are very damp, and that some of them - generally speaking, the most interesting ones in architectural terms, in particular the madrasas and mausoleums were not intended and are not suitable for the dense family accommodation which they provide at present. They lack the lighting, ventilation and facilities necessary for decent accommodation. Where facilities, in particular sanitary facilities, have been added, this has been done at the expense of essential architectural features, which have suffered extensive damage. In addition to these drawbacks, the premises are extremely damp and rubble and debris have piled up in unoccupied premises and courtyards. The conclusion of this analysis, which is applicable to a very large number of extremely important Islamic monuments in Jerusalem, is that mere superficial restoration work, such as work on façades alone, is entirely inadequate to save this heritage and to provide improved or merely viable accommodation in such parts of these buildings which are suitable for use as dwellings without permanent damage to the buildings in question.

The state of preservation of al-Madrassa al-Muzhariyya (built in 1480-1481), one of the pearls of Mameluke architecture in the city whose restoration is currently under study, fully confirms this diagnosis. Only major action scientifically planned in every respect with a view to seeking to rehabilitate the building before cleaning up its exterior, can guarantee the future of this remarkable work of Islamic architecture. The same observation unfortunately applies to most similar monuments in Jerusalem. Indeed, it should be realized that most buildings have deteriorated to such a point that solutions which involve only the restoration of their façades without regard for the rehabilitation of their internal structures may prove to be short-lived, as the causes of deterioration will not have been removed; furthermore, such solutions will not help to improve living conditions in the Arab quarter which, particularly in buildings classed as monuments, barely meet or fall short of the minimum requirements for health and habitability.

11. The restoration of the al-Aqsa Mosque is continuing normally. Measures will be adopted with a view to the renovation in the near future, of the covering of the cupola, which at present consists of silver-coloured aluminium. It will be restored to its original form and covered as before by lead sheeting.

12. I visited the archives depository of the Higher Islamic Council and Waqf Administration of Jerusalem, located in one of the buildings on the northern side of the Haram al-Sharif. The person in charge of this depository is Dr Ahmad Abdallah Yusef. The archives, part of which will soon be moved to a new depository possessing reading rooms equipped with microfilm readers and a library, are in general in an average state of conservation. However, many items, including a collection of manuscripts, require urgent attention involving the same type of equipment as in the case of the manuscripts in the al-Aqsa Library and in the Museum.

Many archives, mostly of recent date and of undetermined interest, are stored in alarming conditions in a small octagonal structure on the Haram al-Sharif. These archives should be removed at once to a more appropriate storage area and treated without delay in order to prevent their rapid destruction.

13. The reorganization of the al-Aqsa Museum has almost been completed. An extremely varied array of precious objects (manuscripts, archives, pottery, stone and wood sculpture, costumes, ironwork, etc.,) of great interest are presented with restraint and taste. A number of objects on display have been restored very carefully so that a clear distinction can be made between original parts and parts which have been reconstructed in order to complete the essential lines of the works of art concerned, in accordance with current practice in this field.

R.M. Lemaire

19 March 1985

6. In this document, the Director-General conveys to the Executive Board all the information in his possession at 29 March 1985. The Director-General is deeply conscious of the importance of the cultural heritage of Jerusalem and will continue to do everything within his power to ensure that the resolutions of the General Conference and the decisions of the Executive Board are put into effect, sparing no effort with a view to the preservation of the city of Jerusalem, which belongs to the heritage of all mankind.

ANNEX

5.3 Culture

5.3.1 Jerusalem and the implementation of 22 C/Resolution 11.8 (120 EX/14 and 120 EX/37)

The Executive Board,

1. Recalling all the resolutions and decisions adopted by the General Conference and the Executive Board of Unesco regarding the protection and safeguarding of the cultural property in the city of Jerusalem, in particular 22 C/Resolution 11.8,
2. Having noted the report of the Director-General contained in document 120 EX/14,
3. Considering it necessary, after examination of the above-mentioned report and in the light of the relevant discussions, to provide additional detailed information, in particular on the following:

the effects of the digging of a tunnel along the western wall of Haram al-Sharif; the experts' study on the fabric of the Al-Madrassa Al-Manjakiyya,
4. Considering also that the Israeli occupation authorities have not yet replied to the letter of the Director-General dated 27 July 1984,
5. Invites the Director-General to take whatever steps he deems necessary to obtain the additional detailed information required, and to report to the 121st session of the Executive Board;
6. Decides to include this topic on the agenda of its 121st session so as to take an appropriate decision on the matter in the light of the Director-General's report.