



United Nations
Educational, Scientific and
Cultural Organization

Organisation
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pour l'éducation,
la science et la culture

DRAFT DECISION

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| Item of the Agenda | 7A |
| Draft Decision | 40 COM 7A.13 |
| Submitted by.... | Kuwait, Lebanon, Tunisia |
| Date | 21/10/2016 |

TEXT

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

Draft Decision: 40 COM 7A.13

The World Heritage Committee,

1. *Having examined Document WHC-16/40.COM/7A.Add2,*
 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,*
- I
4. *Deeply concerned by the Israeli illegal archeological excavations and works conducted by the Israeli occupation authorities and 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 activities, 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. Calls on Israel to stop the closure of Al-Rahmah Gate building, one of Al-Aqsa Mosque / Al-Haram Al-Sharif gates, and to allow all necessary renovation works thereof, in order to fix damage caused by the weather conditions;
7. Also calls on Israel to facilitate the immediate execution of all 19 Hashemite restoration projects in and around Al-Aqsa Mosque/Al Haram Al-Sharif.
8. 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 affect the visual integrity and the authentic character of the site and requests Israel to restore the original character of the site in conformity with its obligations under the provisions of related UNESCO Conventions and recommendations;
9. Also deplores the Israeli plan to build a two-line cable car system in East Jerusalem, the construction 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 Western Wall elevator, the digging of a Mamluk structure beneath the Western Wall, the excavations and construction of new levels underneath the Western Wall, and urges Israel to renounce to the above mentioned projects in conformity with its obligations under the provisions of related UNESCO Conventions and recommendations as well as UNESCO Decisions particularly the World Heritage Committee decision **37 COM 7A.26**, **38 COM 7A.4** and **39 COM 7A.27** and to provide the World Heritage Centre with all related documentation in particular the documentation concerning the historic remains found at the above mentioned projects;
10. Expresses its deep concern regarding the initially approved plan for the so called "Kedem Center" a visitors centre near the southern wall of Al-Aqsa Mosque/Al-Haram Al-Sharif, which severally affects the visual integrity and the authentic character of the site and requests Israel to return the remains and to provide the relevant documentation thereof as well as to restore the original character of the site;
11. Requests the Israeli authorities to allow unrestricted access of 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, and encourages Israel to continue to implement and further expand measures to prevent provocative incidents, such as Israeli extremist groups' storming of Al-Aqsa Mosque / Al Haram Al Sharif, that violate the sanctity and integrity of the Al-Aqsa Mosque/ Al-Haram Al-Sharif that may inflame tension on the ground;
13. Further regrets the damage by Israel, 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 as well as the damage of Umayyad, Ottoman and Mamluk remains of the site of Mughrabi Gate Pathway 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. 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;

15. *Also thanks the Director-General of UNESCO and the World Heritage Centre for their efforts aimed at the Safeguarding of the Cultural Heritage of the Old City of Jerusalem on both sides of its walls and invites them to report on this matter at the 41st session of the World Heritage Committee in 2017;*

II

16. *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,*
17. *Taking note of the Reinforced Monitoring Reports and their addenda prepared by the World Heritage Centre as well as the State of Conservation reports submitted to the World Heritage Centre by Jordan and Palestine and by Israel, the de facto administrating authority;*
18. *Expresses its growing concern regarding the continuous, intrusive archeological demolitions and excavations in and around the Mughrabi Gate Ascent, and the latest excavation works conducted at the beginning of May 2015 at the Western Wall of Al-Aqsa Mosque/ Al-Haram Al-Sharif, and calls on Israel to stop such intrusive archeological demolitions and excavations, respect the Status Quo, and enable the Jordanian Waqf experts as a part of the competent authorities to maintain and safeguard the site in accordance with the relevant provisions of the UNESCO Conventions and Recommendations;*
19. *Acknowledges receipt of the Jordanian design for the restoration and preservation of the Mughrabi Ascent, submitted to the World Heritage Centre on 27 May 2011, and thanks Jordan for its cooperation in accordance with the provisions of the relevant UNESCO Conventions for the Protection of Cultural Heritage;*
20. *Urges Israel, in conformity with its obligations under the provisions of the UNESCO related Conventions, to cooperate with Jordanian Waqf Department and experts to facilitate the restoration of the Ascent to the Mughrabi Gate;*
21. *Thanks the Director-General for her attention to the sensitive situation of the Ascent to the Mughrabi Gate as an integral part of Al-Aqsa Mosque/ Al-Haram Al-Sharif and calls upon her to consult with all concerned parties in order to enable the restoration works of the Ascent to the Mughrabi Gate;*

III

22. *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**;*
23. *Stresses the need of the urgent implementation of the above mentioned UNESCO mission;*
24. *Urges Israel, to accept and facilitate the implementation of that technical expert Mission;*
25. *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 41st World Heritage Committee session;*

IV

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