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# World Heritage

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## UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

### CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

World Heritage Committee

Thirty first Session

Christchurch, New Zealand

23 June – 2 July 2007

**Item 7A of the Provisional Agenda: State of conservation of the properties inscribed on the List of World Heritage in Danger**

#### SUMMARY

In accordance with Section IV B, paragraphs 190-191 of the *Operational Guidelines* (WHC.05/2), the Committee shall review annually the state of conservation of properties inscribed on the List of World Heritage in Danger. This review shall include such monitoring procedures and expert missions as might be determined necessary by the Committee.

This document contains information on the state of conservation of thirty four natural and cultural properties inscribed on the List of World Heritage in Danger. The World Heritage Centre and Advisory Bodies therefore submit herewith reports for review by the Committee. Where appropriate, the World Heritage Centre or the Advisory Bodies will provide additional information during the session of the Committee.

***Decision required:*** The Committee is requested to review the following state of conservation reports. The Committee may wish to adopt the draft Decision presented at the end of each state of conservation report.



## I. State of conservation reports

### CULTURAL PROPERTIES

#### ARAB STATES

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

##### Year of inscription on the World Heritage List

1981

##### Criteria

(ii) (iii) (vi)

##### Year(s) of inscription on the List of World Heritage in Danger

1982

##### Threats for which the property was inscribed on the List of World Heritage in Danger

(Document CLT 82/CH/CONF.015/8)

*[...] they considered that the situation of this property corresponds to the criteria mentioned in the ICOMOS note and, in particular, to criteria (e) (significant loss of historical authenticity) and (f) (important loss of cultural significance) as far as "ascertained danger" is concerned, and to criteria (a) (modification of juridical status of the property diminishing the degree of its protection), (b) (lack of conservation policy) and (d) (threatening effects of town planning) as far as "potential danger" is concerned. [...]*

##### Benchmarks for the removal of the property from the List of World Heritage in Danger

No benchmark established, due to the political context.

##### Corrective measures identified

Within the present context, only specific activities, such as the Action Plan developed within the initiative of the Director-General.

##### Timeframe for the implementation of the corrective measures

As above, the timeframe is linked to the overall situation.

##### Previous Committee Decisions:

**28 COM 15A.31; 29 COM 7A.31; 30 COM 7A.34**

##### International Assistance

N/A

##### UNESCO Extra-budgetary Funds

Total amount provided to the property: USD 3,166,033 (since 1988)

### Previous monitoring missions

February-March 2004, World Heritage Centre-ICOMOS-ICCROM; within the framework of the elaboration of the Action Plan for the safeguarding of the cultural heritage of the Old City of Jerusalem, 5 experts missions between September 2005 and November 2006; special World Heritage Centre-ICOMOS-ICCROM mission sent by the Director-General of UNESCO in February-March 2007.

### Main threats identified in previous reports

Natural risk factors; lack of planning, governance and management processes; alteration of the urban and social fabric; impact of archaeological excavations; deterioration of monuments; urban environment and visual integrity; traffic, access and circulation.

### Current conservation issues

The overall situation has not changed much since the State of Conservation Report submitted to the World Heritage Committee at its 30th session (Vilnius, 2006), but for some specific issues such as the access to the Mughrabi Gate of the Haram ash-Sharif (see below).

#### **I. Projects of the Israeli authorities:**

Since 1967, the Old City of Jerusalem is *de facto* administered by the Israeli authorities. Therefore, all new constructions and conservation projects are in principle subject to the administrative jurisdiction of the Municipality and usually supervised by the Israel Antiquities Authority. A report was transmitted by the Israeli National Commission for UNESCO to the World Heritage Centre on 18 March 2007, presenting, as "*Planned future projects*", the following:

- a) Master Plan for the Old City: The Jerusalem Development Authority has begun preparing a master plan for the renewal and rehabilitation of the Old City;
- b) Preserving the Old City's Walls and its Gates: A project for the conservation and development work along the entire length of the city wall, including the city gates and promenade;
- c) Preservation, Rehabilitation and Development of Urban Fabrics: The rehabilitation of urban complexes such as main traffic arteries and building clusters in the Old City, in accordance with the guidelines of the master plan (that is in preparation) and detailed outline plans, "is likely to change the face of the Old City in the coming decades."
- d) Expanding the Local Outline Plan of the Old City;
- e) The Giv'ati and Jewish Quarter car Parks: To remove through traffic in the Old City, new parking lots have been identified around the Old City. The proposed underground car park of the Jewish quarter has not yet been presented to the planning authorities.

Other projects are also under way:

- a) In the Jewish Quarter, the Hurva Synagogue, originally built in the 1860s and destroyed after 1948, is presently being rebuilt in its original form;
- b) In the Muslim Quarter, a new synagogue is being built in Al-Wad street, adjacent to the Hamam Al-Ain, very close to the Haram ash-Sharif;
- c) Excavation is being conducted in the "secret passage" along the Western Wall tunnels with a staircase ascending to the East;
- d) Excavation is being conducted East of the Bab al-Zahra (also known as the "Flower Gate") ;

- e) Recent information mentions on-going work on the walls of the Haram ash-Sharif close to the Bab al-Hadid (also known as the Iron Gate). This information is still to be confirmed.

In the immediate surroundings of the Old City, the following projects are presently being implemented or under discussion:

- f) Outlines plans are being prepared for the Southern slopes of the Old City, for Mount Zion, the Eastern part of Jerusalem and the region around the walls;
- g) The reorganisation of the traffic infrastructure around the Walls, comprising a new system of roads and tunnels (completed) and the "Jerusalem light rail" to connect West Jerusalem to the Old City and to the Israeli settlements north and south of the town. While aiming at reducing the heavy traffic, this project will affect visually the immediate surroundings of the Old City;
- h) Excavation is continuing in the "City of David" South and East of the Old City;
- i) Recent information was provided to the World Heritage Centre concerning the demolishing of a Waqf building located in the Ma'man Allah neighbourhood (also known as the Mamillah), that is still to be confirmed;
- j) The construction project by the Simon Wiesenthal Centre of the "Centre for Human Dignity/Museum of Tolerance" on the location of an abandoned Muslim cemetery (presently called "Independence Park") is raising a strong controversy and legal battle. This construction, located at some five to eight hundred meters from the Old City, may heavily impact on the urban landscape.

## **II. Action Plan for the safeguarding of the cultural heritage of the Old City of Jerusalem**

Within the framework of the Director-General's initiative for Jerusalem through the elaboration of an *Action Plan for the safeguarding of the cultural heritage of the Old City of Jerusalem*, the activities foreseen in the first phase have been completed. A synthetic report on the Action Plan is presented in Document *WHC-07/31.COM/INF.7A1*.

## **III. The Western Wall Plaza and the Mughrabi Gate**

The Director-General was alerted on 6 February 2007, by a delegation on behalf of the Arab Group to UNESCO as well as by the Permanent Observer of the Arab States League to UNESCO, that works were occurring in the immediate vicinity of the Haram ash-Sharif, which were reported to have an impact on the cultural values of the World Heritage site.

Several serious concerns from Members States as well as governmental and non governmental organizations were received on this subject.

On 6 February, the Director-General wrote a letter to the Prime Minister of Israel, H. Exc. Mr. Ehud Olmert, expressing UNESCO's serious concern regarding the situation and requesting Israel to provide UNESCO and the World Heritage Centre with comments on these activities. He recalled in this letter, Decision **30COM.7A.34** adopted by the World Heritage Committee at its 30th session (Vilnius, 2006) which asked "the Israeli authorities to provide to the World Heritage Centre all relevant information concerning the new buildings planned in and around the Western Wall Plaza, including the plans for the reconstruction of the access leading to the Haram ash-Sharif".

The Director-General announced on Friday 23 February his decision to send a technical mission to the site in order to assess the situation concerning the works on the access to the Haram ash-Sharif. The terms of reference of the mission were to study the reconstruction work and archaeological excavations of the Mughrabi ascent leading to the access to the Haram ash-Sharif and to report to the Director-General on the findings of the mission; the

Director-General then would inform the Committee accordingly. The UNESCO technical mission was composed of four experts, two from the World Heritage Centre of UNESCO (Mr Francesco Bandarin, the Director, and Ms Veronique Dauge), two leading the Advisory Bodies to the World Heritage Committee (Mr Mounir Bouchenaki, Director-General of ICCROM and Mr Michael Petzet, President of ICOMOS) and was dispatched from 27 February to 2 March 2007. The report of the technical mission can be found in Document *WHC-07/31.COM/INF.7A.2*.

The Director-General had the opportunity to report to the Secretary-General of the United Nations, Mr Ban Ki-Moon, on this question.

Further to the return of the mission, the Director-General wrote a second letter to Prime Minister Ehud Olmert to transmit to him the mission's report, and to the Chairman of the World Heritage Committee, where he declared he supported the recommendations contained in the report. The Chairman of the Committee also addressed a letter to the Prime Minister expressing his concern.

On 16 March, the Director-General decided to post the mission report on the UNESCO web site, and organized on 19 March an information session for the Member States. After the speech from the Director-General, the Assistant Director-General for Culture presented the results of the mission and its recommendations.

During the course of the mission, a report signed by the Secretary-General of the Israeli National Commission on 28 February provided some information on the background of the Mughrabi Gate project. Then, on 12 March, the Permanent Delegate of Israel to UNESCO addressed a note to the World Heritage Centre, containing guidelines from the Ministry of Foreign Affairs, the Jerusalem Municipality and the Israel Antiquities Authority, and announcing that "a professional team would be established to accompany the planning of the Mughrabi pathway and the works on site in the context of a programme and design of the whole area". It also stated that "the work of preventive archaeology will continue in stages" [...] and that "the World Heritage Centre will be informed". On 18 March, an additional report related to the Old City of Jerusalem was sent to the World Heritage Centre from the Secretary-General of the National Commission, containing a chapter on the works of the Western Wall Plaza, reiterating the note received on 12 March and adding some further information. It is said that the "professional team" to be established "will be composed of a representative of the Municipality, the City Engineer, the District Planner, the Director of the Israel Antiquities Authority, the Chair of the Israel World Heritage Committee, and a representative of the Ministry of Foreign Affairs. In order to solve the immediate problem of access, now deemed dangerous after the rains of 2004, the team will evaluate various alternative solutions based on the findings on site. Works deemed necessary will be presented to the public through focus groups of experts and academics. The team will present the information to all stakeholders. The public at large will be informed and involved through the local planning process requested by law. The excavations in the archaeological garden (which were initiated for the columns of the original proposed bridge) will be terminated. To ensure the stability of the Mughrabi access, the work of preventive archaeology will continue by stages. At each stage, with the exposure of critical finds or time benchmarks the results will be shared with other stakeholders for evaluating the continuation of works and the best acceptable conservation and restoration solutions. The World Heritage Centre will be informed in accordance with the *Operational Guidelines* of the World Heritage Convention."

Following a request from the six Arab Group members of the Executive Board to the Chairperson of the Board to convene an extraordinary session of the Executive Board on this question, a Special Plenary Meeting of the 176th session of Executive Board took place from 16 to 18 April 2007 on this subject and adopted 176 EX/Special plenary meeting/Decision which is contained in Document *WHC-07/31.COM/INF.7A.3*).

In pursuance to this above mentioned decision of the Board, an informal session of the World Heritage Committee devoted to its follow-up has been held on 4 June at UNESCO's Headquarters. During this meeting, the representative of Israel informed the Committee that the Israeli authorities had provided the World Heritage Centre with, respectively, on 28 February and 12 March 2007 information on "new buildings planned in and around the Western Wall Plaza, including the plans for the reconstruction of the access leading to the Haram ash-Sharif" and on the Mughrabi ascent, as well as on 18 March a report on the State of Conservation of the Old City of Jerusalem and its Walls.

The representative of Israel furthermore reiterated that his country was taking the decisions of the Committee very seriously. He indicated that the archaeological excavations had been stopped a week previously. He furthermore indicated that the plan for the new ascent was not yet established and that the planning process will be open to public consultation.

In the debate that followed, some members of the Committee underlined the necessity to obtain confirmation of the new information given by the representative of Israel. The debate also focused on the nature of the mechanism envisaged in the 176 EX/Special plenary meeting/Decision to ensure the proper implementation of World Heritage Committee decisions.

On 12 June 2007, the Secretariat received an additional interim report sent by the Israel National Commission for UNESCO, with updates on the situation of the Mughrabi Gate, reflecting the statements made by the Israeli Delegation during the Informal Meeting of the World Heritage Committee held in Paris on 4 June. This report indicates that the original building permit for the construction of a new structure has been rescinded and that while archaeological works have stopped, consolidation and stabilisation works on site are continuing, to ensure engineering safety. Furthermore, the Report states that full documentation of the area is being carried out, and that this will be submitted in a Report of the Israel Antiquities Authority to be issued shortly. In the meantime, alternative plans for the access to the Mughrabi Gate are being prepared and will be submitted to the Local and District Planning Commissions for public hearing prior to any final decision. The Report finally indicates that the Israel National Commission will continue to update the World Heritage Centre according to paragraph 172 of the *Operational Guidelines*.

Any new information which would be available after the issuance of the present document will be presented in an Addendum.