



United Nations  
Educational, Scientific and  
Cultural Organization

Organisation  
des Nations Unies  
pour l'éducation,  
la science et la culture

# World Heritage

# 43 COM

WHC/19/43.COM/7A.Add.3

Paris, 21 June 2019

Original: English / French

UNITED NATIONS EDUCATIONAL, SCIENTIFIC  
AND CULTURAL ORGANIZATION

CONVENTION CONCERNING THE PROTECTION OF  
THE WORLD CULTURAL AND NATURAL HERITAGE

WORLD HERITAGE COMMITTEE

Forty-third session

Baku, Republic of Azerbaijan  
30 June - 10 July 2019

**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*, 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 properties inscribed on the List of World Heritage in Danger. The World Heritage Committee is requested to review the reports on the state of conservation of properties contained in this document. The full reports of Reactive Monitoring missions requested by the World Heritage Committee are available at the following Web address in their original language:  
<http://whc.unesco.org/en/sessions/43COM/documents>

All state of conservation reports are also available through the World Heritage State of conservation Information System at the following Web address:  
<http://whc.unesco.org/en/soc>

**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.

## TABLE OF CONTENT

<b>CULTURAL PROPERTIES .....</b>	<b>2</b>
<b>ARAB STATES.....</b>	<b>2</b>
22. Old City of Jerusalem and its Walls (site proposed by Jordan) (C 148 rev) .....	2
29. Hebron/Al-Khalil Old Town (Palestine) (C 1565).....	5

## **CULTURAL PROPERTIES**

### **ARAB STATES**

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

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-present

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

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

"[...] 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. [...]"

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Not yet drafted

Corrective measures identified

Not yet identified

Timeframe for the implementation of the corrective measures

Not yet established

Previous Committee Decisions see page <http://whc.unesco.org/en/list/148/documents>

International Assistance

Requests approved: 1 (from 1982-1982)

Total amount approved: USD 100,000

For details, see page <http://whc.unesco.org/en/list/148/assistance/>

UNESCO Extra-budgetary Funds

Total amount granted: approximately USD 5,000,000 (since 1988)

Previous monitoring missions

February-March 2004: World Heritage Centre/ICOMOS/ICCROM mission; from September 2005 to May 2008: 6 experts missions within the framework of the elaboration of the Action Plan for the Safeguarding of the Cultural Heritage of the Old City of Jerusalem; February-March 2007: special World Heritage Centre/ICOMOS/ICCROM mission sent by the Director-General of UNESCO for the issue of the Mughrabi ascent; August 2007, January and February 2008: missions for the application of the Reinforced Monitoring Mechanism; March and December 2009: World Heritage Centre missions; December 2013, October 2014, February 2015 and June 2015: project missions

Factors affecting the property 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

*Illustrative material* see page <http://whc.unesco.org/en/list/148/>

#### Current conservation issues

The Old City of Jerusalem and its Walls (Site proposed by Jordan) was inscribed, as a holy city for Judaism, Christianity and Islam, on the World Heritage List in 1981. It has been further inscribed since 1982 on the List of World Heritage in Danger.

At the time of the preparation of this document no report on the state of conservation of the site has been received from the concerned parties.

Since the 42nd session of the World Heritage Committee, the Permanent Delegation of Jordan in letters co-signed with the Permanent Delegation of Palestine expressed concerns regarding reported ongoing works within the World Heritage site of the Old City of Jerusalem and its Walls which may have an impact on its Outstanding Universal Value (letter dated 5 September 2018).

The same two Permanent Delegations expressed general concerns in a co-signed letter regarding the World Heritage site of the Old City of Jerusalem and its Walls (letter dated 14 November 2018), the same concern was also expressed by the President of the Arab Group (letter dated 13 December 2018).

The Permanent Delegations of Jordan and Palestine expressed concerns in co-signed letters regarding developments related to a project to build a cable car over the Old City of Jerusalem and the impact it could have on the Outstanding Universal Value of the property (letters dated 3 December 2018 and 27 February 2019). Similar concern had also been expressed by the President of the Arab Group (letter dated 19 March 2019). Several letters have been sent by the Secretariat to the State Party of Israel (20 February and 16 May 2019) in this regard, underlining that should this information be verified as true, this would be a worrying development as it may have a visual impact on the integrity of the World Heritage site.

#### **Draft Decision: 43 COM 7A.22**

*The World Heritage Committee,*

1. *Having considered document WHC/19/43.COM/7A.Add.3 and the Annex attached to this decision,*
2. *Recalling its previous decisions concerning the Old City of Jerusalem and its Walls,*
3. *Decides that the status of the Old City of Jerusalem and its Walls relating to the World Heritage List remains unchanged as reflected in Decisions 42 COM 7A.21 and 42 COM 8C.2 of its last session,*

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#### **ANNEX**

**The World Heritage Committee**

**43rd session of the Committee (43 COM)**

**Item 22:** Old City of Jerusalem and its Walls (site proposed by Jordan)

The World Heritage Committee,

1. Having examined Document WHC/19/43.COM/7A.Add.3,
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 (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 (1972), the New 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, including United Nations Security Council resolution 2334 (2016),
4. Also reaffirming the importance of the Old City of Jerusalem and its Walls for the three monotheistic religions,
5. Reminding that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the "basic law" on Jerusalem, are null and void and must be rescinded forthwith,
6. Further recalling the 16 decisions of the Executive Board: 185 EX/Decision 14, 187 EX/Decision 11, 189 EX/Decision 8, 190 EX/Decision 13, 192 EX/Decision 11, 194 EX/Decision 5.D, 195 EX/Decision 9, 196 EX/Decision 26, 197 EX/Decision 32, 199 EX/Dec.19.1, 200 EX/Decision 25, 201 EX/PX 30.1, 202EX/Decision 38, 204/EX/Decision 25, 205EX/Decision 28, 206EX/Decision 32 and the nine World Heritage Committee decisions: 34 COM/7A.20, 35 COM/7A.22, 36 COM/7A.23, 37 COM/7A.26, 38 COM/7A.4, 39 COM/7A.27, 40 COM/7A.13, 41 COM 7A.36 and 42 COM 7A.21,
7. Regrets the failure of the Israeli occupying authorities to cease the persistent excavations, tunneling, works, projects and other illegal practices in East Jerusalem, particularly in and around the Old City of Jerusalem, which are illegal under international law and reiterates its request to Israel, the occupying Power, to prohibit all violations which are not in conformity with the provisions of the relevant UNESCO conventions, resolutions and decisions;
8. Also regrets the Israeli refusal to implement the UNESCO request to the Director-General to appoint a permanent representative to be stationed in East Jerusalem to report on a regular basis about all aspects covering the fields of competence of UNESCO in East Jerusalem, and reiterates its request to the Director-General to appoint, as soon as possible, the above-mentioned representative;
9. Stresses again the urgent need to implement the UNESCO reactive monitoring mission to the Old City of Jerusalem and its Walls, and invites the Director-General and the World Heritage Centre, to exert all possible efforts, in line with their mandates and in conformity with the provisions of the relevant UNESCO conventions, decisions and resolutions, to

*ensure the prompt implementation of the mission and, in case of non-implementation, to propose possible effective measures to ensure its implementation;*

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

**29. Hebron/AI-Khalil Old Town (Palestine) (C 1565)**

Year of inscription on the World Heritage List 2017

Criteria (ii)(iv)(vi)

Year(s) of inscription on the List of World Heritage in Danger 2017-present

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

The State Party outlined a series of threats in the nomination file, but none were specified by the World Heritage Committee at the time of inscription

Desired state of conservation for the removal of the property from the List of World Heritage in Danger

Draft submitted by the State Party following expert meeting in Paris in December 2018, in accordance with Decision **42 COM 7A.28**

Corrective measures identified

Draft submitted by the State Party following expert meeting in Paris in December 2018, in accordance with Decision **42 COM 7A.28**

Timeframe for the implementation of the corrective measures

In progress

Previous Committee Decisions see page <http://whc.unesco.org/en/list/1565/documents/>

International Assistance

Requests approved: 1 (from 2018-2018)

Total amount approved: USD 60,000

For details, see page <http://whc.unesco.org/en/list/1565/assistance/>

UNESCO Extra-budgetary Funds

Total amount granted: USD 375,400 from the Government of Sweden for physical rehabilitation

Previous monitoring missions

N/A

Factors affecting the property identified in previous reports

Absence of Statement of Outstanding Universal Value at the time of inscription

Illustrative material see page <http://whc.unesco.org/en/list/1565/>

Current conservation issues

In January 2019, the State Party submitted a report on the state of conservation of the property, available at <https://whc.unesco.org/en/list/1565/documents/>. Progress in addressing a number of conservation issues identified by the Committee at its previous sessions is presented in the report, as follows:

- The World Heritage Centre organized a meeting in Paris in December 2018 to discuss the proposed Statement of Outstanding Universal Value (OUV), the proposed Desired state of conservation for the removal of the property from the List of World Heritage in Danger (DSOCR) and related corrective measures, as well as the proposed Management and Conservation Plan for the property. Participants comprised experts from the ICOMOS, ICCROM, the State Party, the

UNESCO Ramallah field office, and the World Heritage Centre. The State Party report includes a draft Statement of OUV, draft DSOCR and draft corrective measures;

- The preparation of the Management and Conservation Plan is being funded under International Assistance (IA). It will be carried out by the Ministry of Tourism and Antiquities, through a contract with the UNESCO Ramallah Office;
- The State Party has endorsed the Tangible Cultural Heritage Law, which prevents new construction inside the property, and requires Heritage Impact Assessment Environmental Impact Assessment (EIA) for major conservation projects;
- The State Party has implemented projects to rehabilitate historic buildings and improve living conditions, supported by various funding sources. Conservation works have also been undertaken at Al-Haram Al-Ibrahimi /Tomb of Patriarchs;
- The report highlights the impacts of vandalism, property damage and other incidents, noting that 800 such matters were reported in 2018;
- Concern has been expressed at development projects planned by the Occupying Power, which may adversely “impact the OUV of the property, including a plan to build 31 housing units for settlers in the core zone.

The State Party considers that the property should remain on the List of World Heritage in Danger.

*Analysis and Conclusions of the World Heritage Centre, ICOMOS and ICCROM*

The State Party has submitted the proposed Statement of OUV, prepared in accordance with the process adopted through Decision **42 COM 7A.28**, to the World Heritage Centre for review by ICOMOS. The adoption of the Statement of OUV by the Committee is a necessary precursor to finalization and consideration of the draft DSOCR and draft corrective measures. The Statement of OUV is also a fundamental foundation for the Management and Conservation Plan. This project should proceed in close collaboration with the World Heritage Centre, UNESCO Ramallah Office and the Advisory Bodies.

The efforts of the State Party to begin the preparation of a Management and Conservation Plan for the property should be commended, as should the conservation works that have been completed or are in progress. Endorsement of a new legislation that would prevent new construction inside the property is welcomed. It is recommended that the Committee remind the State Party that details of any significant conservation and development projects should be submitted to the World Heritage Centre for review by the Advisory Bodies, in accordance with Paragraph 172 of the *Operational Guidelines*.

Moreover, as circumstances permit, the processes for managing conservation and development projects at the property should include preparation of HIAs in accordance with the 2011 ICOMOS Guidance on HIAs for Cultural World Heritage Properties.

It is recommended that the property be retained on the List of World Heritage in Danger.

**Draft Decision: 43 COM 7A.29**

*The World Heritage Committee,*

1. *Having examined Document WHC/19/43.COM/7A.Add.3,*
2. *Recalling Decision 42 COM 7A.28, adopted at its 42nd session (Manama, 2018),*
3. *Takes note of the consultations held between experts from UNESCO, the State Party and the Advisory Bodies, to discuss the proposed Statement of Outstanding Universal Value (SOUV), the proposed Desired state of conservation for the removal of the property from the List of World Heritage in Danger (DSOCR), and the related corrective measures, as well as the proposed Management and Conservation Plan for the property, and invites the State Party to continue its efforts to finalize the above documents;*

4. *Commends the State Party for actions that are being undertaken to conserve significant attributes of the property;*
5. *Reminds the State Party to submit to the World Heritage Centre, for review by the Advisory Bodies, detailed information on any significant conservation and development projects, particularly those with potential adverse heritage impact, in accordance with Paragraph 172 of the Operational Guidelines;*
6. *Also requests the State Party to submit to the World Heritage Centre, by **1 February 2020**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 44th session in 2020;*
7. ***Decides to retain Hebron/AI-Khalil Old Town (Palestine) on the List of World Heritage in Danger.***