

**THE HASHEMITE KINGDOM OF JORDAN**

**and**

**THE STATE OF PALESTINE**

**STATUS REPORT**

**THE STATE OF CONSERVATION OF THE OLD CITY OF JERUSALEM AND ITS  
WALLS**

Presented to

**THE UNESCO WORLD HERITAGE CENTRE**

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## SUMMARY

1. The Annual Status Report, presented by the Hashemite Kingdom of Jordan and the State of Palestine, updates UNESCO's boards, committees, state parties and the international community (officials, believers and heritage experts) with the important and latest examples of the Israeli violations and aggressions against the integrity, authenticity of the Old City of Jerusalem and surrounding its walls.
2. This Status Report focuses on the Israeli violations against the Muslim Holy Places, Christian Holy Places, Muslim and Christian worshippers, freedom of worship and many aggressions announced / documented during the period between January 1<sup>st</sup> and December 30<sup>th</sup> 2024. In order to build on former documentation and show Israeli escalation in the violations pace, the report recalls flagrant violations from years of notable aggressions against Jerusalem Status Quo and heritage with special attention to the last 15 years since 2010.
3. For the purpose of better understanding the sensitivity of Jerusalem and alarming the UNESCO and the International Community of the risks of the recent Israeli escalation against the Jerusalem and its Holy Sites, this Status Report recalls details of Israel flagrant violations since 1967. Among the notable incidents are the demolition of the 1967 Magharbeh (Mughrabi) Quarter, 1980 attempt to blow up the Dome of the Rock, 1982 killing of Aqsa guards in the Dome of the Rock, 1984 digging breach of al-Aqsa walls and the 2008 demolition of the Magharbeh Gate Pathway. This reminding of past flagrant incidents is important due to the continuity of similar incidents and threats against the religious and cultural heritage of the Holy Land.
4. **The Introduction** of this Status Report briefs list of the major Israeli violations against Jerusalem, as a World Heritage Site in Danger since 1982 and it elaborates how Israel's acts and omissions engage breaches of Israel's duties, as an Occupying Power, of UNESCO and UN resolutions and the International Law. **Chapter One** explains the necessary definitions of the Muslim Holy Places, the Christian Holy Places, the Status Quo and an illustration of the Hashemite Custodianship of Jerusalem Muslim and Christian Holy Sites. The first chapter aims at updating UNESCO with a detailed record of the major elements for the upkeep of the *Status Quo*. **Chapter Two** presents in details examples of Israeli blatant violations against al-Aqsa Mosque / Al-Haram Al-Sharif (AAM/HAS) and its surroundings. **Chapter Three** presents examples of the major



violations against the Christian Holy Places, Christian presence, coexistence and freedom of worship in the Holy Land. **Chapter Four** brings a few examples of the Israeli aggressions and omissions against the authentic character of many heritage places / remains in the Old City of Jerusalem, its walls and in its surroundings. **Chapter Five** explains the applicability of the Israeli violations of the International Law, especially the violation of the heritage preservation conventions and the UNESCO resolutions. The Status Report concludes with some recommendations to UNESCO and its member states regarding some of their legal and ethical obligations towards the heritage of Jerusalem.

## INTRODUCTION

4. The Israeli authorities continue to violate the historic *status quo* at Jerusalem Muslim and Christian Holy Places in order to control and Judaize Jerusalem's heritage sites and landscape, and to justify Israeli illegal Occupation measures by conducting of the following violations:

5. Major Violations against Muslim Holy Places

- 1) Attempts to change the historic status and function of al-Aqsa Mosque / al-Haram al-Sharif (AAM/HAS), as an exclusively Islamic Holy Place.
- 2) Confiscating / changing of the authentic character of Waqf properties at al-Aqsa surroundings;
- 3) Undermining Jordanian Jerusalem Awqaf's mandate by obstructing and obligatory supervision of the maintenance/renovation projects inside AAM/HAS;
- 4) Depriving the Jordanian Jerusalem's Awqaf from its historic right to control and administer the entry of worshippers and guests into AAM/HAS.
- 5) Undermining Muslim worship rights and access to AAM/HAS;

6. Examples of Violations against AAM/HAS

- 1) Enabling Israeli/Jewish extremist incursions;
- 2) Enabling Jewish/Israeli extremist practice of Jewish rituals;
- 3) Enabling Jewish/Israeli extremist assault against Awqaf employees;

- 4) Enabling Jewish/Israeli extremist assault against Muslim worshippers;
  - 5) Enabling Jewish/Israeli extremists to raise flags and political symbols;
  - 6) Enabling the politicization of AAM/HAS by Israeli MKs and extremists leaders;
  - 7) Allowing continuity of incitement and threats to divide/destroy AAM/HAS;
  - 8) Enabling fund raise campaigns for group/projects that aim to Judaize AAM/HAS;
  - 9) Restricting Muslim access to AAM/HAS;
  - 10) Exile of Awqaf employees and Muslim worshippers from AAM/HAS;
  - 11) Israeli army and police presence inside AAM/HAS;
  - 12) Israeli occupation forces attacks against Awqaf employees and worshippers;
  - 13) Confiscating parts of AAM/HAS;
  - 14) Changing identity and function of parts of AAM/HAS;
  - 15) Obstructing renovations/restorations;
  - 16) Interfering in Awqaf's work;
  - 17) Physical damage of AAM/HAS monuments / Awqaf offices / systems;
  - 18) Installing surveillance cameras and microphones;
  - 19) Installing loudspeakers over AAM/HAS walls;
  - 20) Writing Judaization and anti-Muslims graffiti inside al-Aqsa;
7. Examples of Violations against Waqf properties surrounding AAM/HAS
- 1) Changing the character and definition of the western wall of AAM/HAS;
  - 2) Ban of burial at Bab al-Rahmah cemetery;
  - 3) Bulldozing and desecration of Muslim cemeteries / waqf properties;
  - 4) Illegal constructions at the Buraq Plaza;
  - 5) Intrusive excavations at Al-Buraq Plaza and the Magharbeh Gate pathway;
  - 6) Systematic demolitions of the Magharbeh Gate Pathway;

- 7) Theft and transfer of historic remains;
  - 8) Judaization of the Tankaziyah School and Hammam Tankaz;
  - 9) Excavations and tunneling at the Umayyad palaces Area and Silwan;
  - 10) Plans to build cable car system;
8. Examples of official incitement against AAM/HAS
- 1) Court decisions in favor of the Jewish extremists' violations against AAM/HAS;
  - 2) Court decisions and official statements defining AAM/HAS, as Temple Mount;
  - 3) Issuing maps and pamphlets changing the status and identity of historic sites;
  - 4) Knesset and courts decisions silencing Azan and Muslim prayer;
  - 5) Declaring areas in the Old City of Jerusalem and in its surroundings as biblical / Talmudic or Israeli national parks.
9. Examples of Confiscations of parts of AAM/HAS
- 1) Magharbeh gate, keys and pathway;
  - 2) Police station at the dome of the rock plaza
  - 3) Tankaziyah school (1969)
  - 4) Bab ar-Rahma closure (2003)
  - 5) Mat-harat Bab al-Ghawanmeh
  - 6) Ribat al-Kurd (Hosh Al-Shihabi)
10. Major Violations against Christian Holy Places
- 1) Changing Christian identity, historic status and function of the Christian Quarter, especially the areas of the New Gate and Jaffa Gate;
  - 2) Israeli new plans to Judaize the Mount of Olives and Mount Zion;
  - 3) Changing / failing to prevent the change of the historic character of the Armenian Quarter and its surroundings, especially the Cow Garden and Mount Zion;
  - 4) Confiscating /changing of authentic character of many Church properties, especially the Greek Orthodox Church properties at Bab Al-Khalil (Jaffa Gate);

- 5) Undermining the Churches' mandate by obstructing their historic role of administering and organizing the flow of Christian pilgrims to the Church of Holy Sepulcher;
- 6) Israeli Antiquities and Municipality authorities intervention in a number of renovation projects at the Holy Sepulcher church, in clear violations of the historic Status Quo;
- 7) Undermining Christian worship rights and access to the Christian Holy Places within the Old City of Jerusalem;
- 8) Failing to prevent more than 80 price tag / hate crime attacks against Churches in Jerusalem and the Holy Land since 2010;
- 9) Failing to prevent recurring hundreds of physical/verbal assaults against Christian clergymen, sisters, worshippers, tourists and residents;
- 10) Failing to stop extremist Jewish threats, which continue to put the Jerusalem historic coexistence and harmony at risk.
- 11) Israel failed to maintain the Christian community's presence in the Holy City of Jerusalem due to the continued aggressions/restrictions against their Holy Places, their religious leaders and against their freedom of worship and education system; the Christian community presence in Jerusalem has decreased from more than 20% in the 1920s to less than 2% today.

11. Since the beginning of occupation in June 1967 and onwards, especially during the last two decades, the Israeli Occupation authorities have taken actions, which intentionally undermined the structural integrity and authenticity of many Muslim and Christian Holy Places, demolished or destroyed ancient parts thereof. These continued acts and omissions cannot be justified under the preface of the Occupying authorities' 'military necessity', let alone 'public order and safety'. They are actions of an illegal Occupier seeking to alter facts on the ground in favour of imposing its exclusivist narrative.

12. In addition, the Israeli authorities have shown themselves unable or unwilling to afford effective respect to the freedom of worship of Christians and Muslims. The last two decades, during which Judaization of the Old City of Jerusalem intensified, have shown a durable escalation in the Israeli obstruction of access and freedom of worship at the Muslim and Christian Holy Sites in Jerusalem.

13. Muslim and Christian stakeholders of Mosques and Churches suffered a lot from latest Israeli policies of intervention and obstruction of maintenance, conservation and administration of their Holy Places. The Israeli Occupation authorities enabled and/or shown themselves unable or unwilling to stop very provocative actions by Jewish extremists in respect of the Holy Places. Jewish extremists' aggressions were often undertaken in the presence and under watchful eyes of armed Israeli military and/or police.

14. Israeli negligence of previous UNESCO resolutions and its continued change of facts on the ground by prolonged illegal conduct proves its intentions to regularize illegality of its omissions and changes, as a legitimate fact. Illegitimacy can never benefit from the shadow of enforced de facto jurisdictions or legal procedures taken by the Occupier.

15. In this context, Israel's acts and omissions engage breaches of its duties as an Occupying Power, of UNESCO and UN resolutions, the International Humanitarian Law and International Human Rights Law provisions, including but not limited to:

- Article 53 of the Fourth Geneva Convention (1949) by destroying private and/or public property and/or failing to protect property dedicated to religious and/or charitable and/or educational purposes, not least the Mughrabi Quarter comprising schools, mosques and residential housing in June 1967, the demolitions of the Mughrabi Gate Pathway since 2004, the Umayyad Palaces excavations / enforced archaeological claims and hundreds of unilateral excavations under and over the ground along the Western Wall of Al-Aqsa Mosque and in almost all corners of the Old City of Jerusalem and surrounding its walls;
- Article 27 of the Fourth Geneva Convention (1949) by failing to respect and/or failing to afford any or any effective protection to maintain respect for Muslim and Christian religious faiths and practices, not at least hundreds of cases of banning free access of worshippers to their Holy Sites, especially during the Holydays periods of the last decade; since the year 2000, the majority of Palestinian youth and young generation in the West Bank and Gaza have not been able to visit Jerusalem and practice their right of worship in the Old City of Jerusalem;
- Article 43 of Section III of the Hague Regulations (1907) in obstructing the administration of the Jerusalem Islamic *Waqf* and obstructing or preventing acts necessary to maintain as well as safeguard the Holy Places; the Churches have been suffering a lot from the

Occupation authorities' intervention and enforcement of Israeli measures against the historic Status Quo of the Churches' rights of autonomous administration of their own Church affairs; Israel has been deliberately violating and/or failing to respect and/or afford any or any effective protection for the religious faiths of Muslims and Christians;

- Articles 1 and 2 of the Cultural Property Convention (1954) by destroying and/or allowing the destruction and/or failing to take any or any effective measures to prevent the destruction of cultural and religious property including some Holy Places and appurtenances thereto, not least the Mughrabi Gate Pathway, which was destroyed in 2004 through 2018 and replaced with a wood/steel military style ramp;
- Article 5 of the Cultural Property Convention (1954) in preventing and/or obstructing and/or failing to take any or any effective measures to support the competent Jordanian authorities and those working with them to safeguard and preserve cultural and religious property including (as identified in this section) the Holy Places, not least not permitting the Jordanian Jerusalem Awqaf authorities to take the necessary measures to renovate the Magharbeh Gate Pathway, the Western, Eastern and Southern walls of al-Aqsa Mosque from outside;
- Articles 18 and 27 of the Universal Declaration of Human Rights (1948) by restricting or preventing Muslim and Christian religious worship and the ability of Muslims and Christians to participate in the cultural life of their communities;
- Articles 18(1) and 18(3) of the International Covenant for Civil and Political Rights (1966), as well as Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination (1969) by restricting or preventing the right to freedom of religion for Muslims and Christians and/or failing to take any or any effective measures to protect them.

## CHAPTER ONE

### DEFINITIONS OF HOLY PLACES AND STATUS QUO

#### I. The Muslim Holy Places and the Christian Holy Places in Occupied East Jerusalem

16. In addition to Al-Aqsa Mosque / Al-Haram Al-Sharif, the Old City of Jerusalem has more than 60 mosques and 90 churches within its historic walls. For the purposes of this Status Report, the focus is on places of particularly special significance that have been the subject of flagrant and repeated violations by the Israeli Occupation Authorities. Jerusalem Awqaf Directorate report that about 85% of the Old City of Jerusalem real estates are either Muslim or Christian public or private Waqf properties.

##### (A) Muslim Holy Places

##### Al-Aqsa Mosque/Al-Haram Al-Sharif









17. Al-Aqsa Mosque/Haram Al-Sharif is one of three sacred places for Muslims worldwide. It is the space and land (inclusive of constructions) that is surrounded by walls on all four sides with a total area of more than 144 dunams<sup>2</sup> with lengths of 491m West, 462m East, 310m North and 280m South. It includes the Al-Qibli Mosque, the Marwani Mosque, the Dome of the Rock, Al-Buraq Mosque, the Lower Aqsa, and Bab Al-Rahmah. It includes all grounds, prayer halls, schools, libraries, Sufi *zawiyahs*, offices, ritual baths, *sabils* (drinking water fountains), corridors, *mistabahs* (elevated platforms), water cisterns, waterways, and all that exists above and underneath Al-Aqsa Mosque/Haram Al-Sharif's space. It includes all the roads and ramps that lead to its gates, and the walls themselves, including Al-Buraq Wall. It also includes the Waqf properties tied to it and its environs. In addition, relating to Al-Aqsa Mosque/Haram Al-Sharif are structures, which the Israeli authorities damaged or completely erased since 1967, such as the Mughrabi Quarter in 1967 and the Mughrabi Gate Pathway in 2008.

### Definition

18. The terms “Al-Aqsa Mosque” and “Haram Al-Sharif” are used synonymously. The Arabic phrase *al-Masjid al-Aqṣā* is mentioned in *Al-Isrā'*, the seventeenth chapter (or *surah*) of the *Quran*. *Al-Isrā'* tells the first part of the story of the “*night journey*” wherein the Prophet Muhammad (Peace Be Upon Him) travelled upon a steed called *Buraq* from the Great Mosque of Mecca to “*the farthest Mosque*” (*al-Masjid al-Aqṣā* and, having led other prophets (including Abraham, Jesus and Moses) in prayer, ascended to Heaven (in *Al-Mi'raj*, which tells the second part of the story of the “*night journey*”). At all material times, it has consistently been understood that *al-Masjid al-Aqṣā* is a reference to the entire 144,000m<sup>2</sup> (or 144 dunum) compound which, during the eras of Mamluk and Ottoman rule, came to be popularly known as *al-Ḥaram ash-Sharīf* (الْحَرَمُ الشَّرِيف) or “Haram Al-Sharif”<sup>3</sup>. The Arabic phrase *Jāmi' al-Aqṣā* refers to the building at the southern end of Haram Al-Sharif, which contains the Al-Qibli Mosque (*Muṣallā al-Qiblī*).

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<sup>2</sup> 1 dunam = 1000m<sup>2</sup>

<sup>3</sup> See, for example, Palmer EH, ‘*History of the Haram Es Sherif: Compiled from the Arabic Historians*’ in *Palestine Exploration Quarterly* Vol. 3(3) (1871), pages 122-132 [doi:10.1179/peq.1871.012](https://doi.org/10.1179/peq.1871.012). ISSN 0031-0328: “EXCURSUS ON THE NAME MASJID EL AKSA. In order to understand the native accounts of the sacred area at Jerusalem, it is essentially necessary to keep in mind the proper application of the various names by which it is spoken of. When the Masjid el Aksa is mentioned, that name is usually supposed to refer to the well-known mosque on the south side of the Haram, but such is not really the case. The latter building is called El Jām ‘i el Aksa, or simply El Aksa, and the

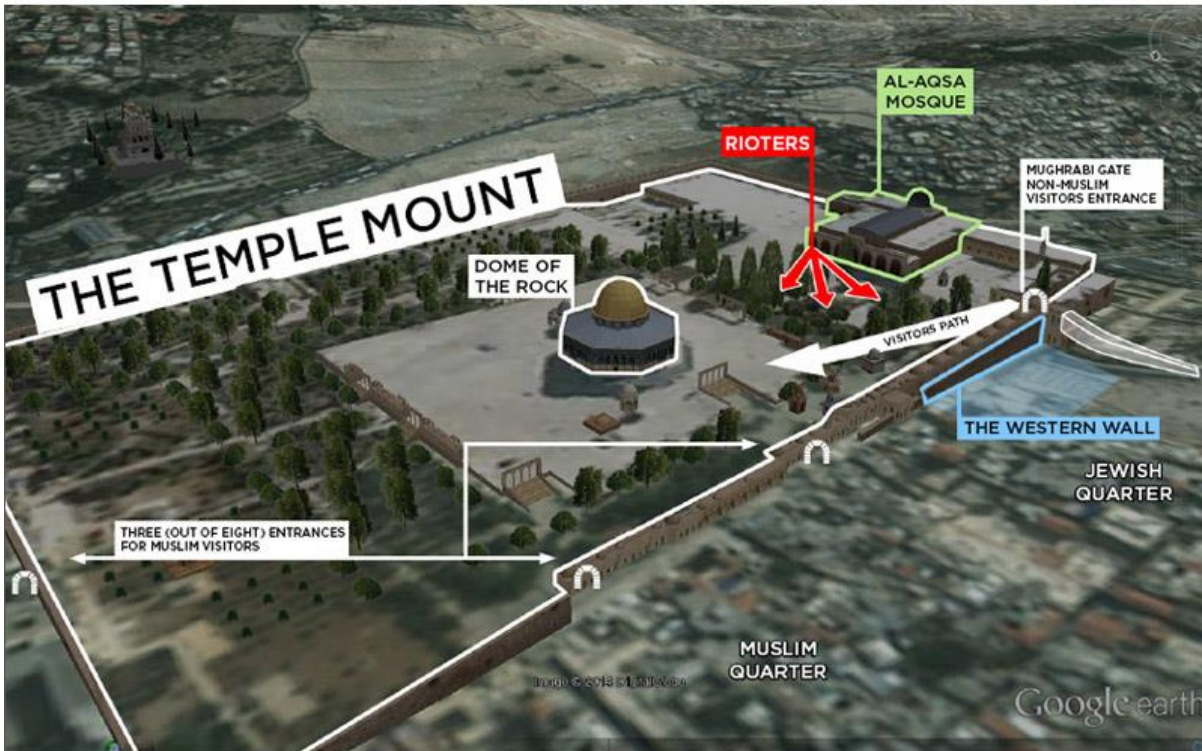


19. Furthermore, in yet a further deliberate act of provocation, Israel’s Ministry of Foreign Affairs has reportedly attempted, since November 2014, to impose its own misinterpretation of “Al-Aqsa Mosque” which purports to limit the scope of the definition down from the entire “Haram Al-Sharif” to just the Al-Qibli Mosque<sup>4</sup> – no doubt to illegitimately attempt to obfuscate the understanding of AAM/HAS, the nature and extent of the Muslim role and responsibility in this regard, and to undermine the Custodianship of the Hashemite Kings over AAM/HAS (demonstrated vividly by the below image published on the website of Israel’s Ministry of Foreign Affairs on 10 September 2015):

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*substructures are called El Aksa el Kadimeh (the ancient Aksa), while the title El Masjid el Aksa is applied to the whole sanctuary”*

<sup>4</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 18



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20. The wrongful Israeli 2014 definitions of AAM/HAS were immediately rejected by Jordan, which has worked to ensure the correct definition of AAM/HAS is maintained on the international plane, including in UNESCO documents concerning the Old City of Jerusalem. On 4 March 2015, Jordan circulated to all its diplomatic missions a *Note Verbale* containing a clear statement of its position<sup>6</sup>.

#### *Al-Aqsa Mosque/Haram Al-Sharif: History*

21. In 638 CE, Sophronius, the Patriarch of Jerusalem, peacefully surrendered Jerusalem to the Second Caliph Omar bin Al-Khattab, who ordered that AAM/HAS be built upon the site where the “*night journey*” occurred. Under the terms of the surrender of Jerusalem, the Pact of Omar declared:

<sup>5</sup> Website of Israel’s Ministry of Foreign Affairs, *The Temple Mount: Background* (10 September 2015)

<sup>6</sup> *Note Verbale* from Jordan’s Ministry of Foreign Affairs to all Jordanian diplomatic missions (4 March 2015)

*“In the Name of God, the Compassionate, the Merciful.*

*This is what the servant of God, Omar bin Al-Khattab, the Commander of the Faithful, has offered the people of Jerusalem: their security, granting them protection for their selves, their money, their churches, their children, their lowly and their innocent, and the remainder of their people. Their churches are not to be taken, nor are they to be destroyed, nor are they to be degraded or belittled, neither are their crosses or their money, and they are not to be forced to change their religion, nor is any one of them to be harmed”<sup>7</sup>.*

22. During the Ummayyad period, AAM/HAS was rebuilt and expanded with the golden Dome of the Rock, which was finished in 691 CE<sup>8</sup>.
23. Under the successive Abbasid and Fatimid dynasties, Jerusalem became a hub for spiritual and religious scholarly life for Muslims throughout the Islamic Empire, and further renovations were carried out to maintain AAM/HAS<sup>9</sup>.
24. After falling to European forces during the First Crusade in 1099 CE, Jerusalem was recovered by Salah al-Din Yusuf ibn Ayyub (commonly known as Saladin) in 1187 CE<sup>10</sup>. Under Saladin, native Christians and expelled Jews were allowed to remain and/or return to Jerusalem, and extensive restorations of AAM/HAS and the Church of the Holy Sepulchre were performed<sup>11</sup>.
25. During the Mamluk era, many of the schools, hostels, water fountains and bazaars that still exist in and around AAM/HAS today were constructed<sup>12</sup>. As demonstrated below, even these have been the subject of Israeli violations, including the confiscation of the Tankaziyyah School.

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<sup>7</sup> The Royal Aal Al-Bayt Institute for Islamic Thought, *The Hashemite Custodianship of Jerusalem's Islamic and Christian Holy Sites 1917-2020 CE: White Paper* (2020) (“**White Paper**”), pages 14-16, reproducing photographs of the copy of the Pact of Omar preserved in the Greek Orthodox Patriarchate in Jerusalem and signed by Muhammad Ali Al-Khalidi (Jerusalem's Shari'ah Judge during the reign of the Ottoman Sultan Mahmud II) [HP

<sup>8</sup> White Paper, page 14, paragraph 17

<sup>9</sup> White Paper, page 17, paragraph 18

<sup>10</sup> White Paper, page 17, paragraphs 20-21

<sup>11</sup> White Paper, pages 17-18, paragraphs 20-22

<sup>12</sup> White Paper, page 18, paragraph 22

26. Under the Ottomans, the Dome of the Rock was renovated during Sultan Suleiman the Magnificent's restoration and reinforcement of the Old City<sup>13</sup>.

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<sup>13</sup> White Paper, page 18, paragraphs 23-24



## Al-Aqsa Mosque/Haram Al-Sharif: Contents



27. AAM/HAS has three levels:

- 27.1. The underground level contains cisterns, water canals and buildings. It includes the Marwani Mosque, the Buraq prayer hall and the Bab Ar-Rahmah prayer hall;
- 27.2. The first level includes the Al-Qibli Mosque and the main courtyard that includes open gates, corridors, platforms, wells, public fountains and other structures; and
- 27.3. The upper level (which rises slightly above the ground) includes the Dome of the Rock and its surroundings.

28. AAM/HAS contains numerous mosques, schools, gates, chambers, graves and landmarks that are of profound importance to Muslims worldwide. In the interests of concision, a comprehensive explanation of the historical significance of each feature of AAM/HAS is not attempted here. However, to provide context for the discussion below of Israeli aggressions against AAM/HAS, a brief explanation of some of those features is given below<sup>15</sup>:

- 28.1. The Dome of the Rock Mosque (*Masjid Qubbat al-Sakhrah*) is an ornate Islamic shrine with a gold dome visible across much of the city of Jerusalem. It is the oldest standing monument of Islamic architecture. Built by the Umayyad Caliph Abd al-Malik ibn Marwan, it marks the point from which the Prophet Muhammad (PBUH) ascended to heaven. The Dome is situated on a flat elevated plaza on AAM/HAS. The Dome of Ascension (*Qubbat al-Miraj*) is a small Islamic free-standing domed structure. Built by the Umayyads, it stands just northwest of the Dome of the Rock. It commemorates the point from which the Prophet Muhammad (PBUH) ascended to paradise;
- 28.2. The Al-Qibli Mosque was the first physical structure built by Muslims on AAM/HAS. The current building was built by the Umayyad Caliph Walid bin Abdul Malik bin Marwan in the early 8<sup>th</sup> century as a congregational mosque or prayer hall on the southern part of AAM/HAS;

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<sup>14</sup> Given the number of important locations and sites on AAM/HAS, this key, which identifies 136 such sites, is difficult to read. A clearer expandable version may be found at <https://haramalaqsa.com>

<sup>15</sup> In 2022, a new guide to AAM/HAS was published by the Hashemite Fund, the Awqaf and the Palestinian Academic Society for the Study of International Affairs ("PASSIA") entitled *A Guide to Al-Aqsa Mosque Al-Haram Ash-Sharif* containing detailed information on each of AAM/HAS's historic features

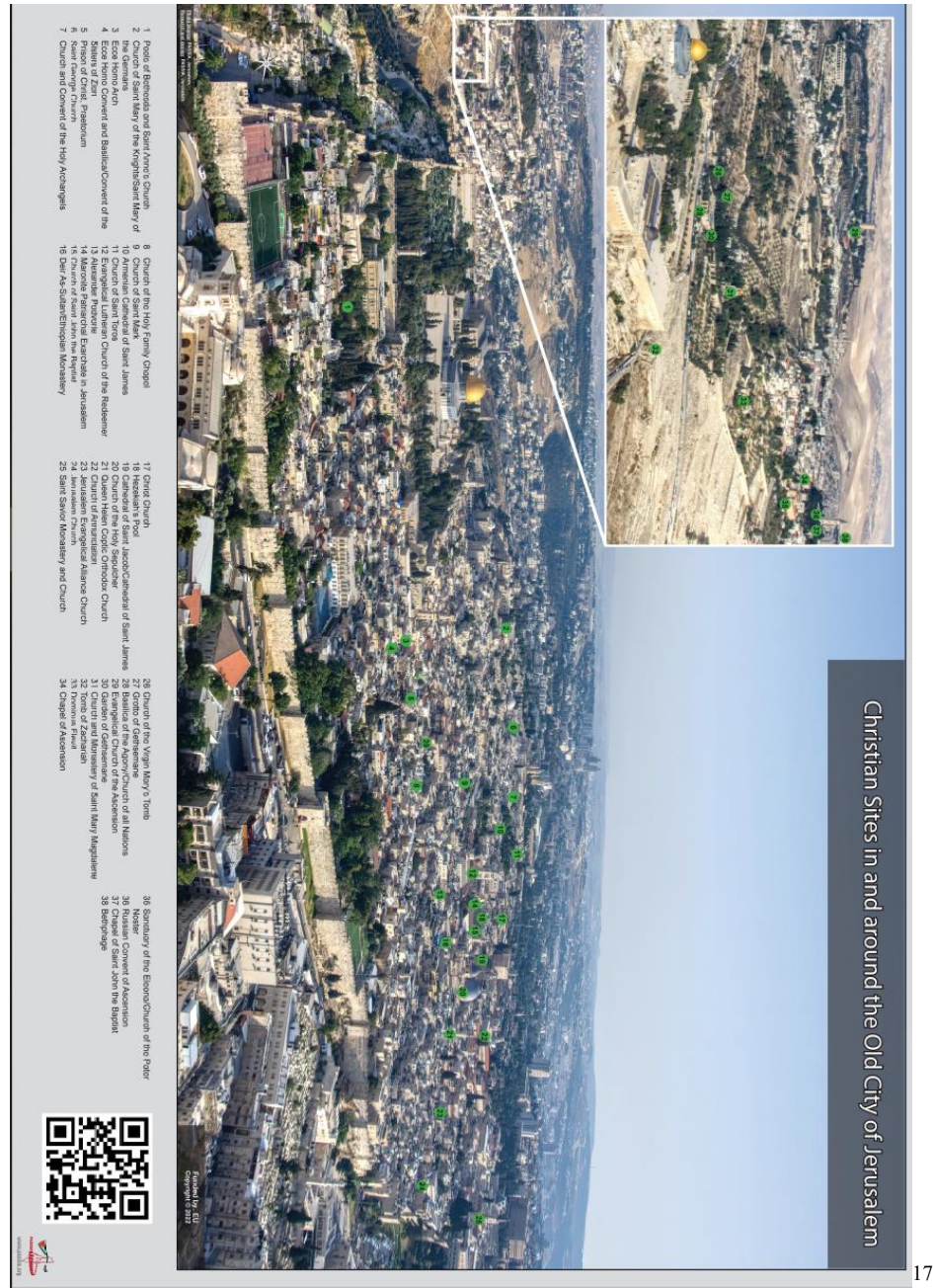


- 28.3. The Damascus Gate (*Bab al-Amoud*) is the largest of the seven open gates to the Old City of Jerusalem. It is located on the northern side of the Old City towards the middle of the wall that historically surrounded it. The gate has become a cultural icon for Palestinians for its role as an entry point into the area surrounding AAM/HAS;
- 28.4. The Al-Buraq Wall (also known as the Western Wall and referred to by Jews as the Wailing Wall) is the site where Prophet Muhammad (PBUH) tied his steed, Buraq, after the night journey before ascending to paradise. According to mainstream Jewish tradition and practice, Jewish people should not enter AAM/HAS in order to avoid trespassing upon the presumed site of the Holy of Holies (the place where God's presence appeared). Accordingly, the Al-Buraq Wall is the closest point Jews can get to AAM/HAS without stepping upon sanctified areas and, for that reason, it is significant for Jewish worshippers. However, it remains *Waqf* property and the Al-Buraq Wall remains an integral part of AAM/HAS;
- 28.5. The Marwani Mosque is an Umayyad-era mosque (661–750 CE) that is the largest physical structure in AAM/HAS (capable of accommodating 6000 worshippers at any given time);
- 28.6. The Chain Gate is an Ayyubid-era gate that is today one of the main entrances to AAM/HAS. It is located on the southern part of the western wall of AAM/HAS;
- 28.7. The Moroccan (or Mughrabi/Magharbeh) Gate is a Mamluk-era gate on the Al-Buraq Wall. It led to the Moroccan Quarter (or Mughrabi Quarter) (named after the Moroccan immigrant groups that first began to reside there in 909 AD, and which, as described further below, was demolished by Israel immediately after the start of the occupation in 1967). As explained further below, Israel confiscated the keys to the Moroccan Gate in 1967 and subsequently demolished the Mughrabi Gate Pathway, replacing it with a steel ramp in or around 2008;
- 28.8. The remains of the Umayyad Palaces are located to the southwest of AAM/HAS. They were built in the 7<sup>th</sup>-8<sup>th</sup> centuries and form large complexes that were formerly used as the headquarters of the custodians (the Emirate House) of AAM/HAS. The remains of the Umayyad Palaces have been subjected to some of the most egregious excavation,



tunnelling and Judaization projects undertaken by the Israeli authorities, about which Jordan and Palestine have protested repeatedly to Israel and UNESCO<sup>16</sup>.

## (B) Christian Holy Places



<sup>16</sup> Jordanian-Palestinian UNESCO Protest Note (25 April 2022) / Jordanian-Palestinian UNESCO Protest Note (10 March 2023) / Awqaf Protest Note (4 February 2016)

<sup>17</sup> Given the number of important Christian Holy Places in East Jerusalem, it is difficult to read the descriptions above. A clearer expandable version may be found at [http://passia.org/media/filer\\_public/82/b1/82b15ff3-a47c-](http://passia.org/media/filer_public/82/b1/82b15ff3-a47c-)

29. For Christians, every step of Jesus' journey is revered, especially those taken in the last two days in Jerusalem before his death (an event which is of the very highest importance for Christians). Thus, the city of Jerusalem contains, in addition to those described here in below, numerous places related to the life and death of Jesus that are fundamentally important for Christianity<sup>18</sup>.

### The Church of the Holy Sepulchre



Left: Church of the Holy Sepulchre, Right: the Holy Grave

30. The Church of the Holy Sepulchre is situated in the northwest quarter of the Old City. It is built on the traditional site of Jesus' crucifixion and burial. According to Christian scripture, Jesus' tomb was close to the place of crucifixion, and so the church was planned to encompass both sites: the cross and the tomb. The site has been continuously recognised since the 4<sup>th</sup> century as the place where Jesus died, was buried, and rose from the dead. It is also the site of the millennium-old celebration known as the Orthodox Holy Light ceremony, which commemorates Jesus' resurrection. The ceremony takes place annually on the Saturday before Orthodox Easter with thousands of pilgrims and residents in attendance.

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[406a-a127-84918b2e845c/christian\\_sites\\_in\\_and\\_around\\_the\\_old\\_city\\_of\\_jerusalem\\_english.pdf](#) and in the White Paper, page 89

<sup>18</sup> For detailed descriptions of each of these places, see the White Paper, pages 60-63

31. The Church of the Holy Sepulchre has been the subject of repeated violations, including physical desecrations, prevention of access to worshippers and clergy on particularly significant religious days (such as the Holy Fire ceremony at Easter), and arbitrary administrative measures (not least the arbitrary imposition of water bills and taxes that caused the Church of the Holy Sepulchre to be closed temporarily in 2018). The Israeli authorities have either shown themselves unable or unwilling to prevent such violations, or actively facilitated and/or participated therein.

## II. The Historic *Status Quo* and the Hashemite Kings' Special Role of Custodianship

### (A) The Status Quo

32. As a matter of Islamic law, a *waqf* is an inalienable endowment that has been dedicated for Islamic religious or charitable purposes (an approximate common law equivalent would be a charitable trust in perpetuity). Not least given its nature as a place of Muslim worship, AAM/HAS has been administered as *waqf* for centuries.

33. *Firmans* concerning claims of possession of the Holy Places of Christendom by religious communities were issued by Ottoman rulers in 1757, 1852 and 1853<sup>19</sup>. These were recognised internationally in the 1856 Treaty of Paris and the 1878 Treaty of Berlin<sup>20</sup>, which defined the situation then existing as the *Status Quo* (“**the Status Quo**”). The Status Quo reasserted a ban on non-Muslims entering AAM/HAS and the right for the Western Wall to be used for prayer by Jews. Article 62 of the Treaty of Berlin provided as follows:

*“The Sublime Porte having expressed the intention to maintain the principle of religious liberty, and give it the widest scope, the Contracting Parties take note of this spontaneous declaration.*

*The freedom and outward exercise of all forms of worship are assured to all, and no hindrance shall be offered either to the hierarchical organization of the various communions or to their relations with their spiritual chiefs.*

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<sup>19</sup> White Paper, page 18

<sup>20</sup> In the aftermath of Russia's victory against the Ottoman Empire in the Russo-Turkish War of 1877-1878, the Treaty of Berlin was entered into on 13 July 1878 between Great Britain, Germany/Prussia, Austria-Hungary, France, Italy, Russia and the Ottoman Empire

*Ecclesiastics, pilgrims, and monks of all nationalities travelling in Turkey in Europe, or in Turkey in Asia, shall enjoy the same rights, advantages, and privileges.*

*The right of official protection by the Diplomatic and Consular Agents of the Powers in Turkey is recognized both as regards the above-mentioned persons and their religious, charitable, and other establishments in the Holy Places and elsewhere.*

*The rights possessed by France are expressly reserved, and it is well understood that no alterations can be made in the status quo in the Holy Places.*

*The monks of Mount Athos, of whatever country they may be natives, shall be maintained in their former possessions and advantages, and shall enjoy, without any exception, complete equality of rights and prerogatives”<sup>21</sup>.*

34. The successive governments of Palestine and the British Mandate<sup>22</sup> maintained the *Status Quo*. Article 9 of the Mandate for Palestine dated 24 July 1922 provided as follows:

*“Respect for the personal status of various peoples and communities and for their religious interests shall be fully guaranteed. In particular, the control and administration of Wakfs shall be exercised in accordance with religious laws and the dispositions of the founders”<sup>23</sup>.*

35. Article 13 of the Mandate for Palestine provided as follows:

*“All responsibility in connection with the Holy Places and religious buildings or sites in Palestine, including that of preserving existing rights and of securing free access to the Holy Places, religious buildings and sites and the free exercise of worship, while ensuring the requirements of public order and decorum, is assumed by the Mandatory ... nothing in this mandate shall be construed as conferring upon*

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<sup>21</sup> Article 62 of the Treaty of Berlin (1878)

<sup>22</sup> After the territories of Palestine and Transjordan were conceded by the Ottoman Empire following the First World War, the territories were administered by Great Britain as part of the League of Nations’ system of “mandates” established under Article 22 of the Covenant of the League of Nations. Transjordan was added to this mandate following the Cairo Conference in 1921, wherein it was decided that His Majesty King Abdullah I would administer the territory.

<sup>23</sup> Article 9 of the Mandate for Palestine 1922

*the Mandatory authority to interfere with the fabric or the management of purely Moslem sacred shrines, the immunities of which are guaranteed”<sup>24</sup>.*

36. In *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion of 9 July 2004, ICJ Reports 2004, p. 136 (hereinafter “*The Wall*”) <sup>25, 26</sup>, the International Court of Justice referred (at paragraph 129) to Article 62 of the Treaty of Berlin 1878 and Article 13 of the Mandate for Palestine as “*specific guarantees of access to the Christian, Jewish and Islamic Holy Places*” of which “*account must...be taken*”<sup>27</sup>.

37. In December 1930, a report was issued by the “Western Wall Commission”, a Commission established by the British Mandate authorities to determine the rights and claims of Muslims and Jews concerning the Western Wall. The Western Wall Commission’s constitution was approved by the League of Nations, and comprised Eliel Löfgren (who had formerly served as Sweden’s Minister of Justice and Minister for Foreign Affairs), Charles Barde and Carel Joseph van Kempen, with Stig Sahlin as secretary. The Western Wall Commission received evidence, interviewed witnesses and undertook a comprehensive review. Its conclusions included a reiteration that AAM/HAS, including the Buraq Wall / Western Wall of Al-Aqsa Mosque, as an “*integral part*” of AAM/HAS, was *Waqf* property belonging solely to Muslims. Thus, the report concluded that the *Status Quo* was reflected, *inter alia*, in these facts:

*“A. To the Moslems belong the sole ownership of, and the sole proprietary right to, the Western Wall, seeing that it forms an integral part of the Haram-esh-Sharif area, which is waqf property.*

*To the Moslems there also belongs the ownership of the Pavement in front of the Wall and of the adjacent so-called Moghrabi (Moroccan) Quarter opposite the Wall, inasmuch as the last mentioned property was made Waqf under Muslim Sharia law, it being dedicated to charitable purposes.*

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<sup>24</sup> Article 13 of the Mandate for Palestine 1922. The terms or phrases “*Shrines*” and “*Holy Places*” have been used synonymously at all material times



*Such appurtenances of worship and/or such other objects as the Jews may be entitled to place near the Wall either in conformity with the provisions of this present Verdict or by agreement come to between the Parties shall under no circumstances be considered as, or have the effect of, establishing for them any sort of proprietary right to the Wall or adjacent pavement.*

*On the other hand the Moslems shall be under the obligation not to construct or build any edifice or to demolish or repair any building within the Waqf property (Haram area and Moghrabi quarter adjacent to the Wall), in such a manner that the said work would encroach on the Pavement or impair the access of the Jews to the Wall or involve any disturbance to, or interference with, the Jews during the times of their devotional visits to the Wall, if it can in any way be avoided”<sup>28</sup>.*

38. In 1931, the British Government published a report for the Council of the League of Nations on the administration of Palestine and Transjordan for the year 1931. That report (at paragraph 43) provided:

*“The Report of the Wailing Wall Commission was presented in December, 1930, and published as a Colonial Office publication. Copies of that publication have been forwarded by His Majesty’s Government to the Council of the League of Nations. The findings were brought into force in June by means of the Palestine (Western or Wailing Wall) Order in Council, 1931. The findings were received without enthusiasm by Moslems and Jews alike, but except for formally-recorded protests on the part of the Supreme Moslem Council and discussion at the Moslem Congress, there was no significant public comment, unfavourable or otherwise. No serious difficulty has been experienced in administering the regulations prescribed in the Order in Council.*

*In accordance with the findings of the Commission, the Chief Rabbis of Jerusalem have appointed a representative to deal with matters appertaining to the Wall.*

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<sup>28</sup> Report of the Commission appointed by HMG, with the approval of the Council of the League of Nations, to determine the rights and claims of Moslems and Jews in connection with the Western or Wailing Wall at Jerusalem (December 1930)

*A police post is established at the Wall under the charge of a British officer with British and Palestinian constables”.*

Schedule 1 to the Order in Council referred to above set out the text of the above-mentioned passage from the Western Wall Commission’s December 1930 report<sup>29</sup>. The effect of this instrument was to provide legal, if not legislative, underpinning to the Western Wall Commission’s report, as a matter of English/Mandate Law.

39. Consistent with the Western Wall Commission’s report, subject to limited exceptions, during the period when Jordan was in control of the territory, which includes East Jerusalem (1948-June 1967), the *Status Quo* was maintained.

40. The *Status Quo* has been recognised and continues to be reflected in recent UN Security Council documents<sup>30</sup>.

41. As explained further below, it is Israel’s obligation, as an Occupying Power, to maintain the *Status Quo* as it existed at the point immediately prior to the beginning of the occupation.

#### **(B) The Hashemite Kings’ Custodianship in respect of the Muslim Holy Places**

42. The British Mandate archive records show that the first time that H.M. Sharif Hussein bin Ali was mentioned in the Friday sermon by the imam of the Al-Aqsa Mosque/Al-Haram Al-Sharif was in 1917. This marked a historic transition from the 400-year-old responsibility of the Ottoman Sultan, as Caliph of the Muslim *Ummah*, to Sharif Hussein. *Al-Qiblah* newspaper No. 38 of 1917 quotes the text of the supplication (*du’a*) during the Friday sermon:

*‘May God keep His support and His help to sayidna and mawlana Al-Sharif Al-Hussein bin Ali bin Muhammad bin Abdul-Mu’in bin ‘Awn, the Caliph of Muslims and the Emir and Sharif of Mecca and the King of the Arabs...’*

43. In the years 1918 and 1919, residents of Jerusalem renewed the *bay’ah* to Sharif Hussein bin Ali as King of the Arabs, Caliph of Muslims and protector of the city’s people and its Holy Sites. (*Al-Qibla Newspaper*, issue no.164; Monday 5th *Jumada Al-Thaniya* 1336 ah/ 1918 ce.).

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<sup>29</sup> Report by HMG on the Administration of Palestine and Trans-Jordan for the Year 1931.

<sup>30</sup> See, e.g., Security Council Press Statement on Situation in Jerusalem (17 September 2015)

44. In 1924 , when the Ottoman Caliphate officially ended, the Arabs of Hejaz, Syria, Jordan, Lebanon, Palestine and others searched for a *de jure* caliph. The Hashemite Emir Abdullah bin Hussein bin Ali (later H.M. King Abdullah I) of Transjordan and the Palestinian leader Hajj Amin Al-Husseini were the first two figures to pledge allegiance to Sharif Hussein on March 11th, 1924. Arab and Palestinian figures (Muslim and Christian) followed in pledging allegiance to him in Aqaba and they came from all cities across Palestine.

45. In March 1924, an official Palestinian delegation expressed their full allegiance to Sharif Hussein as the only Muslim *Khalifah* that would protect, maintain and renovate the city's holy sites and people<sup>31</sup>. That role (**here in after “the Custodianship”**) entails responsibility for:

- 45.1. the care and physical upkeep of AAM/HAS;
- 45.2. maintaining AAM/HAS as a place for Muslims to pray in;
- 45.3. the other facilities at the AAM/HAS, including the Islamic museum;
- 45.4. the salaries of all employees of AAM/HAS;
- 45.5. all funding and fundraising for AAM/HAS;
- 45.6. protecting AAM/HAS.

46. There can be no serious dispute that the Hashemite Kings of Jordan subsequently performed that Custodianship since 1917, and, despite the increasingly obstructive conduct of the Israeli authorities, have continued to do so after Israel's occupation. Examples include: (1) the restoration of the *Minbar* of Saladin (largely destroyed in the arson attack of 21 August 1969 – see below); (2) the restoration of the gold leafing on the Dome of the Rock which was completed in 1994 at a cost of US\$9 million paid personally by King Hussein bin Talal<sup>32</sup>. In 2016, it was reported that the Hashemite family had spent more than US\$2.120 billion since 1922 on restoration projects

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<sup>31</sup> White Paper, pages 33-35

<sup>32</sup> Website of kinghussein.gov.jo, *Hashemite Restorations of the Islamic Holy Places in Jerusalem* ([http://www.kinghussein.gov.jo/islam\\_restoration.html](http://www.kinghussein.gov.jo/islam_restoration.html))



at AAM/HAS<sup>33</sup>; (3) the consistent expression on the international plane<sup>34</sup> of the importance of maintaining the *Status Quo* and of the need to maintain the Custodianship<sup>35</sup>.

47. On 31 July 1988, purely for the purposes of facilitating final status discussions between Israel and the Palestinian Authority, His Majesty King Hussein formally announced Jordan's 'disengagement' from the West Bank<sup>36</sup>. However, the *Awqaf* and the Custodianship in respect of the Holy Places were not included in or affected by Jordan's 'disengagement' from the West Bank.

48. On 25 July 1994, the Custodianship was expressly recognised in the Washington Declaration between Israel and Jordan (and witnessed by the United States of America). Article B(3) of the Washington Declaration provides as follows:

*"Israel respects the present special role of the Hashemite Kingdom of Jordan in the Muslim Holy Shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines"*<sup>37</sup>.

49. In remarks made at the signing ceremony of the Washington Declaration, US President Clinton said to His Majesty King Hussein:

*"[Your Majesty],*

*, in the declaration you will sign, your role as guardian of Jerusalem's Muslim holy sites, Al-Aqsa among them, has been preserved. And Israel has agreed to accord a*

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<sup>33</sup> Arab News, *The restoration projects that keep Jerusalem's Al-Aqsa in good repair* (13 March 2021)

<sup>34</sup> Including at the 77th plenary session of the UN General Assembly on 20 September 2022, where HM King Abdullah II said *"Today, the future of Jerusalem is an urgent concern. The city is holy to billions of Muslims, Christians, and Jews around the world. Undermining Jerusalem's legal and historical status quo triggers global tensions and deepens religious divides. The Holy City must not be a place for hatred and division. As Custodians of Jerusalem's Muslim and Christian Holy Sites, we are committed to protecting their historical and legal status quo and to their safety and future. And as a Muslim leader, let me say clearly that we are committed to defending the rights, the precious heritage, and the historic identity of the Christian people of our region. Nowhere is that more important than in Jerusalem. Today, Christianity in the Holy City is under fire. The rights of churches in Jerusalem are threatened. This cannot continue. Christianity is vital to the past and present of our region and the Holy Land. It must remain an integral part of our future."*

<sup>35</sup> See, by way of recent examples, records of HM King Abdullah II's meetings with: (1) the US President on 2 February 2023; (2) the Prime Minister of Canada on 27 January 2023; (3) the Prime Minister of Israel on 24 January 2023; (4) the President of France on 21 December 2022; (5) the Prime Minister of the United Kingdom on 11 November 2022; (6) HH Pope Francis on 10 November 2022; and (7) the Foreign Minister of the Russian Federation on 3 November 2022

<sup>36</sup> HM King Hussein's Address to the Nation (31 July 1988)

*high priority to Jordan's historic role regarding these holy sites in final status negotiations*"<sup>38</sup>.

50. On 3 August 1994, Israel's Prime Minister, addressing the Knesset on the Washington Declaration, said the following:

*"It is natural that the paragraph relating to the places in Jerusalem which are holy to Muslims has aroused great interest.*

...

*The purpose of this paragraph is to frame an existing situation in which the Jordanians, even during the 27 years since the Six-Day War – under all governments of Israel – have indeed played a role in the running of the Islamic holy places in Jerusalem."*<sup>39</sup>.

51. On 26 October 1994, Jordan and Israel entered into a Treaty of Peace, Article 9 of which, reflecting the commonly understood position, provides as follows:

*"Articles 9 – Places of Historical and Religious Significance and Interfaith Relations*

*1. Each Party will provide freedom of access to places of religious and historical significance.*

*2. In this regard, in accordance with the Washington Declaration, Israel respects the present special role of the Hashemite Kingdom of Jordan in Muslim Holy shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines.*

*3. The Parties will act together to promote interfaith relations among the three monotheistic religions, with the aim of working towards religious understanding, moral commitment, freedom of religious worship, and tolerance and peace"*<sup>40</sup>.

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<sup>38</sup> Remarks by President Clinton, King Hussein and PM Rabin at the Signing Ceremony of the Washington Declaration

<sup>39</sup> Statement in the Knesset by PM Rabin on the Washington Declaration

<sup>40</sup> Treaty of Peace between Jordan and Israel (1994)

52. On 16 April 2007, HM King Abdullah II bin Al-Hussein established the Hashemite Fund for the Restoration of the Al-Aqsa Mosque and the Dome of the Rock<sup>41</sup> (“**the Hashemite Fund**”). The Hashemite Fund operates on the ground, as well as through governmental, legal and international forums and institutions. Its purpose is to support, supervise and fund the conservation of the historic identity and structural integrity of AAM/HAS, as well as being responsible for producing publications updating the public as regards developments at AAM/HAS and for maintaining a website which seeks to document Israeli violations there with photographic and video evidence<sup>42</sup>. Examples of the Hashemite Fund’s conservation works include: (1) Between 2008 and 2016, the Hashemite Fund, together with the *Awqaf*, undertook a project to renovate the Dome of the Rock’s mosaic and stucco decorations<sup>43</sup>; (2) Between 2014 and 2016, the Hashemite Fund, together with the *Awqaf*, undertook a project to renovation interior mosaics inside the Al-Qibli Mosque<sup>44</sup>; (3) The Hashemite Fund is responsible for the Al-Aqsa Mosque Manuscripts Centre in AAM/HAS<sup>45</sup>.

53. On 31 March 2013, an agreement was entered into between Jordan and Palestine expressly recognising the Custodianship in respect of the entire 144,000m<sup>2</sup> area of AAM/HAS<sup>46</sup>. In particular:

53.1. This agreement was officially entitled as an “*Agreement between His Majesty King Abdullah II ibn Al Hussein, the Custodian of the Holy Sites in Jerusalem, and His Excellency Dr. Mahmoud Abbas, President of the State of Palestine, Head of Palestinian Liberation Organisation, and President of the Palestinian National Authority*” (emphasis added);

53.2. Article 2 of this agreement provided that:

“2.1 His Majesty King Abdullah II, as the custodian of the Jerusalem Holy Sites, exerts all possible efforts to preserve the Jerusalem Holy Sites, especially Al-Haram

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<sup>41</sup> Webpage of the Hashemite Fund of Al-Aqsa Mosque and the Dome of the Rock, ‘About the Hashemite Fund of Al-Aqsa Mosque’ (<https://haramalqsa.com/about-the-hashemite-fund>)

<sup>42</sup> Due to the increasingly violent and repeated nature of the violations, the *Awqaf*, in 2014/2015, began attempting wherever possible and practicable to take photographs of Israeli violations at AAM/HAS

<sup>43</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (28 April 2017), page 34

<sup>44</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (28 April 2017), page 34

<sup>45</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (28 April 2017), pages 35-36

<sup>46</sup> A copy appears as Appendix IV to the White Paper

*Al-Sharif, which is defined in item (c) in the Preamble to this agreement, and to represent their interests so as to:*

*A. assert the respect for the Jerusalem Holy Sites;*

*B. affirm that all Muslims, now and forever, may travel to and from the Islamic Holy Sites and worship there, in conformance with freedom of worship;*

*C. to administer the Islamic Holy Sites and to maintain them so as to (i) respect and preserve their religious status and significance; (ii) reaffirm the proper identity and sacred character of the Holy Sites; and (iii) respect and preserve their historical, cultural and artistic significance and physical fabric;*

*D. to represent the interests of the Holy Sites in relevant international forums and competent international organisations through feasible legal means;*

*E. to oversee and manage the institution of Waqf in Jerusalem and its properties in accordance with the laws of the Hashemite Kingdom of Jordan;*

54. Accordingly, AAM/HAS and the Muslim Holy Places under the Custodianship of HM King Abdullah II ibn Al-Hussein of Jordan, in continuation of the *Status Quo* that pre-existed Israel's occupation of Jerusalem.

**(C) The Hashemite Kings' Custodianship in respect of the Christian Holy Places**

55. In addition to the Muslim Holy Places (as set out above), the Custodianship also extends to the Christian Holy Places in Jerusalem.

56. In 1924, the Heads of Churches in Jerusalem pledged their allegiance to Sharif Hussein, reaffirming the Hashemites' historic role in safeguarding and protecting Jerusalem's Holy Places<sup>47</sup>. The Hashemite Kings of Jordan have performed that role ever since<sup>48</sup>.

57. On 5 January 1951, His Majesty King Abdullah I issued a royal decree naming Raghib Basha Al-Nashashibi as Overseer of the Al-Aqsa Mosque/Al-Haram Al-Sharif and High Caretaker of the Holy Sites of Jerusalem. That royal decree described the relevant duties as including:

*“that you consolidate the Custodianship and protection of all denominations and religious pilgrims under your authority; strive to uphold their safety, freedoms, rites, and places of worship with utmost determination; set every matter in its proper place and rectify every due right according to the Status Quo pertaining to the rights of denominations, mosques, churches, and synagogues one and all. This is in order that all people may find peace of mind; peace, harmony, and the examples of the great prophets may prevail; heavenly creeds may manifest themselves under the rubric of human brotherhood in a sacred Arab country that religions exalt, where prayers are established, supplications are raised, and goodwill is preserved. In doing so, follow the path of the Pact of Omar and received tradition... And also to take into consideration all Sultanic firmans already in the hands of the Patriarchs”<sup>49</sup>.*

58. Christian leaders in Jerusalem have repeatedly renewed their allegiance to the Hashemite Kings in the subsequent years, stressing the importance of the Custodianship. Examples include: (1) the Evangelical Lutheran Church in Jordan & the Holy Land<sup>50</sup>; (2) the Greek Orthodox Patriarchate<sup>51</sup>; (3) the Episcopal Evangelical Church in Jerusalem and the Middle East<sup>52</sup>; (4) the Syrian Orthodox Patriarchate of Antioch<sup>53</sup>; (4) the Armenian Orthodox Patriarch<sup>54</sup>; (5) the Coptic

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<sup>47</sup> White Paper, page 66

<sup>48</sup> White Paper, pages 75-76

<sup>49</sup> White Paper, pages 66-67

<sup>50</sup> Letter from Evangelical Lutheran Church in Jordan and the Holy Land to Royal Hashemite Court (2 April 2013)

<sup>51</sup> White Paper, page 68 See also Letter from Greek Orthodox Patriarchate to HM King Abdullah II (1 October 2015) / Ammon News, *Patriarch Theophilos emphasizes Muslims' exclusive right over Haram Al-Sharif* (19 July 2021)

<sup>52</sup> Letter from Episcopal Evangelical Church in Jerusalem and the Middle East to HM King Abdullah II (1 October 2015)

<sup>53</sup> White Paper, page 69. See also Letter from Syrian Orthodox Patriarchate of Antioch in Jerusalem, Jordan & The Holy Land to HM King Abdullah II (1 October 2015)

<sup>54</sup> Letter from Armenian Orthodox Patriarchate to HM King Abdullah II (12 September 2018)

Church<sup>55</sup>; and (6) the Saint Afram Church & Center For Syrian Orthodox<sup>56</sup>, as well as (7) the Islamic-Christian Commission in Support of Jerusalem<sup>57</sup>.

59. In addition, the Custodianship in respect of the Christian Holy Places, has been formally recognised by the Papacy. On 24 May 2013, H.H. Pope Francis wrote to His Majesty King Abdullah II as follows:

*“I recall the words of my predecessor, His Holiness Benedict XVI, who wished, on the occasion of his farewell from the Hashemite Kingdom in May 2009, to put on record his appreciation of Your Majesty’s commitment to fostering inter-religious dialogue... I am deeply conscious that, in virtue of Your Majesty’s internationally recognised role as Custodian of the Holy Places of Jerusalem, the care of the Holy Places of Jerusalem has always been the highest priority of the Hashemite Royal Family and the Kingdom of Jordan”<sup>58</sup>. (emphasis added)*

60. On 30 January 2020, 13 Patriarchs and Heads of Churches in Jerusalem<sup>59</sup> issued ‘A Statement by the Patriarchs and Heads of the Holy Land churches on the “Deal of the Century”’<sup>60</sup>,

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<sup>55</sup> Letter from Coptic Orthodox Patriarchate to HRH Prince Ghazi bin Muhammad (January 2019)

<sup>56</sup> Letter from Saint Afram Church & Center for Syrian Orthodox to HM King Abdullah II (18 December 2017)

<sup>57</sup> Jordan Times, *Islamic Christian commission reaffirms Hashemite Custodianship* (13 December 2020)

<sup>58</sup> Letter from HH Pope Francis to HM King Abdullah II (24 May 2013)

<sup>59</sup> Namely, (1) Patriarch Theophilos III, Greek Orthodox Patriarchate; (2) Patriarch Nourhan Manougian, Armenian Apostolic Orthodox Patriarchate; (3) Archbishop Pierbattista Pizzaballa, Apostolic Administrator, Latin Patriarchate; (4) Fr. Francesco Patton, ofm, Custos of the Holy Land; (5) Archbishop Anba Antonious, Coptic Orthodox Patriarchate, Jerusalem; (6) Archbishop Gabriel Daho, Syrian Orthodox Patriarchate; (7) Archbishop Aba Embakob, Ethiopian Orthodox Patriarchate; (8) Archbishop Yaser AL-Ayash, Greek-Melkite-Catholic Patriarchate; (9) Archbishop Mosa El-Hage, Maronite Patriarchal Exarchate; (10) Archbishop Suheil Dawani, Episcopal Church of Jerusalem and the Middle East; (11) Bishop Ibrahim Sani Azar, Evangelical Lutheran Church in Jordan and the Holy Land; (12) Bishop Pierre Malki, Syrian Catholic Patriarchal Exarchate; (13) Most Rev. Krikor-Okosdinos Coussa, Armenian Catholic Patriarchal Exarchate

<sup>60</sup> The “Deal of the Century” is the colloquial term given by its proponents to the 118-page document issued by the administration of US President Trump in January 2020 entitled “*Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People*”. It was widely rejected as requiring very little by way of concessions from Israel. As just one example, the Trump administration statement provided (at page 16) in respect of Jerusalem’s Holy Sites, as follows: “*After the Six Day War in 1967, when the State of Israel took control over all of Jerusalem, the State of Israel assumed responsibility for protecting all of the city’s holy sites. Those holy sites include, without limitation, the Temple Mount/Haram al-Sharif, the Western Wall, the Muslim Holy Shrines, Church of St. Anne, Via Dolorosa (Stations of the Cross), Church of the Holy Sepulchre, Church of Viri Galilaei, Church of St. Stephen, Dormition Abbey, Tomb of the Virgin Mary, Room of the Last Supper, Augusta Victoria Church of Ascension, Garden of Gethsemane, Church of Mary Magdalene, Dominus Flevit Church, Pater Noster Church, Church of St. Peter in Gallicantu, Church of the Ascension, The Russian Church, Secours Catholique ‘House of Abraham,’ Mount Scopus, Hurva Synagogue, Tomb of Absalom, Tomb of Zechariah, Second Temple Pilgrimage Road, Tomb of the Prophets Haggai, Zechariah and Malachi, Gihon Spring, City of David, Mount of Olives, Samsuki Jewish Cemetery, and the Pool of Siloam.*”

in which they reaffirmed the Hashemite Kings' Custodianship of the Christian Holy Places as follows:

*“The American peace plan that was announced yesterday in the White House in the presence of the Israelis and the absence of the Palestinians, invites us to request from the U.S. administration as well as the international community to build on the vision of two states and develop it in line with international legitimacy in addition to opening a political communication channel with the Palestine Liberation Organization, the internationally recognized sole legitimate representative of the Palestinian people, to ensure that its legitimate national aspirations is also satisfied within the framework of a comprehensive and durable peace plan to be accepted by all relevant parties. And on Jerusalem we refer again to our statement addressed to President Donald Trump on Dec 6, 2017 and recall our vision for the Holy City to be open and shared by the two people, Palestinians and Israelis, and for the three monotheistic religions and our confirmation to uphold the Hashemite custodianship over the Holy sites. The resurrection of our Lord from Jerusalem reminds us all of the sacrifices to ensure justice and peace in the Holy Land. We also call upon all Palestinian political parties, factions, and leaders to meet to discuss all disputes, end the state of internal conflict, terminate division, and adopt a unified stand towards concluding the state building based on plurality and democratic values”<sup>61</sup>.*

**(D) International Recognition of the Hashemite Kings' Custodianship of the Muslim Holy Places and the Christian Holy Places**

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Unlike many previous powers that had ruled Jerusalem, and had destroyed the holy sites of other faiths, the State of Israel is to be commended for safeguarding the religious sites of all and maintaining a religious status quo.

Given this commendable record for more than half a century, as well as the extreme sensitivity regarding some of Jerusalem's holy sites, we believe that this practice should remain, and that all of Jerusalem's holy sites should be subject to the same governance regimes that exist today. In particular the status quo at the Temple Mount/Haram al-Sharif should continue uninterrupted.

*Jerusalem's holy sites should remain open and available for peaceful worshippers and tourists of all faiths. People of every faith should be permitted to pray on the Temple Mount/Haram al-Sharif, in a manner that is fully respectful to their religion, taking into account the times of each religion's prayers and holidays, as well as other religious factors”.* (emphasis added)

<sup>61</sup> Patriarchs and Heads of Local Churches in Jerusalem, *A Statement by the Patriarchs and Heads of the Holy Land Churches on the “Deal of the Century”* (30 January 2020)

61. The Hashemite Kings' Custodianship of the Muslim Holy Places and the Christian Holy Places has been consistently discussed on the international plane, and received widespread international recognition from, *inter alia*, the Organisation of Islamic Cooperation<sup>62</sup>, the League of Arab States<sup>63</sup>, the European Union<sup>64</sup>, the UN Secretary-General<sup>65</sup>, Permanent Members of the UN Security Council<sup>66</sup>, and UNESCO.

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<sup>62</sup> See, as just one example, the statement by Kuwait (on behalf of the OIC) at the 7540th meeting of the UN Security Council on 22 October 2015 that “*The Organization of Islamic Cooperation reiterates the importance of preserving the Jordanian Hashemite custodianship of the Islamic and Christian holy sites in Jerusalem, including Haram Al-Sharif, as has been exercised by His Majesty King Abdullah II ibn Al Hussein*”

<sup>63</sup> See, as just one example, the statement in the communiqué issued by the Council of the League of Arab States on 5 April 2023, in which the Council (at paragraph 4) “*reaffirm[ed] the importance of the historical Hashemite Jordanian custodianship of Islamic and Christian holy sites in the city of Jerusalem, which plays a major role in protecting those sites and maintaining their historical and legal status; and reiterates that the Jerusalem Waqf and Aqsa Mosque Affairs Administration of Jordan is the sole authority entrusted with administering the affairs of the Aqsa Mosque/Haram Al-Sharif*”

<sup>64</sup> See, as just one example, the remarks of the High Representative Federica Mogherini at a press conference on 17 June 2019 following the 13th EU-Jordan Association Council that “*I would like to take this opportunity to thank once again - as we always do - His Majesty [King Abdullah II] and the Hashemite Kingdom of Jordan for the special role as custodian of the Holy Sites. This is particularly important for the European Union and we stand by Jordan in this important responsibility that His Majesty has*”

<sup>65</sup> See, as just one example, the UN Secretary-General's 24<sup>th</sup> quarterly report dated 14 December 2022 on the implementation of UNSCR 2334 (2016) (at paragraph 84): “*I reiterate and amplify my call to the parties for the status quo at the holy sites in Jerusalem to be respected and upheld, taking into account the special and historic role of Jordan as custodian of the Muslim and Christian holy sites in Jerusalem*”

<sup>66</sup> See, for example, Readout of President Biden's meeting with HM King Abdullah II of Jordan (13 May 2022 / Readout of Vice President Kamala Harris's Meeting with His Majesty King Abdullah II of Jordan (2 February 2023) / The Status Quo governing Jerusalem's holy sites preserves peace: UK statement at the Security Council (5 January 2023)



## CHAPTER 2

### ISRAELI VIOLATIONS OF AAM/HAS AND OTHER MUSLIM HOLY PLACES

62. Israeli violations of the Holy City of Jerusalem started during the 1967 war between 4-10 June 1967, when Israel occupied the West Bank (including East Jerusalem)<sup>67</sup>.

63. An exhaustive catalogue of all violations on the part of Israel is beyond the scope of this Status Report or any short statement. Rather, certain of the more egregious examples are described below with reference to the following categories: (1) Destruction; (2) Obstruction of Access for Worshippers (including Attacking Worshippers); (3) Obstruction of Restoration and/or Maintenance Works; (4) Alterations; (5) Aggressive and Provocative Actions and Incursions (and/or Inability or Unwillingness to Take Effective Measures so as to protect the Holy Places and worshippers).

#### I. DESTRUCTIONS

64. From the very earliest days of the occupation right up until the present day, Israeli state authorities have either supported, failed to prevent, or themselves perpetrated acts of destruction at and against the Holy Places.

##### **(A) Unjustified and Unlawful Demolition of the Historic Mughrabi Quarter**

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<sup>67</sup> As the International Court of Justice held in *The Wall* (at paragraph 74): “On 22 November 1967, the Security Council unanimously adopted resolution 242 (1967), which emphasized the inadmissibility of acquisition of territory by war and called for the “Withdrawal of Israel armed forces from territories occupied in the recent conflict”, and “Termination of all claims or states of belligerency””



*The Maghrabi Quarter before and after destruction*

68

65. Immediately after the commencement of its occupation, in the evening of 10 June 1967, Israel began demolishing the historic Mughrabi Quarter (comprising approximately 153 houses and the Buraq Mosque) with bulldozers and its residents were expelled. The keys to the Mughrabi Gate were forcibly confiscated from the *Awqaf* by the Israeli authorities. The confiscation of the keys was symbolic of attempting to take over control. The recent ‘return’ of the original key on 14

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<sup>68</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 3

May 2023 by a former Israeli military officer Yair Barak was (at best) a hollow gesture<sup>69</sup>. There was no lawful basis for the destruction of the centuries-old Buraq Mosque and these civilian residences. The real reason was to illegitimately, and permanently, enlarge the space in front of the Western Wall as an area for Jewish prayer. On 26 August 1967, Sheikh Abd al-Hamid al-Sayeh and thirteen other Arab personalities wrote to the Personal Representative of the UN Secretary-General as follows:

*“we, the undersigned, both Muslims and Christians, have the honour to direct your attention to the following:*

*the Israeli authorities have taken many arbitrary and provocative measures of which the following list, though not comprehensive, may give an idea:*

*1. The razing to the ground of the entire Mughrabi Quarter in the Old City comprising 153 houses and involving 650 persons, who were unable even to retrieve furniture because they were not given sufficient warning, and the destruction of two small mosques in that quarter.*

*2. The expulsion and rendering homeless of the 3,000 inhabitants of Sharaf Quarter, on the pretext that Jews had lived in the Quarter in the past, although most of the houses in the area had been inhabited by Arabs throughout and owned by Muslim Waqf.*

*3. It did not respect the sanctity of Muslim and Christian religious shrines, and thus forced the custodian of the holy places to close some of the churches. Moreover, the Chief Rabbi of the Israeli Army, Brigadier Goren, conducted a prayer together with some followers in the Haram Al-Sharif (Holy Mosque), thus blatantly offending the Muslim's susceptibilities and infringing upon their established rights, while the Minister for Religion in Israel announced that the Muslim Mosque is Jewish property, and that sooner or later they will rebuild their temple there. Finally, the Ministry for Religion announced its intention of expanding the Wailing Wall again thus destroying some of the Muslim buildings surrounding it, and constructing a*

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<sup>69</sup> Jordan News, *Ex-Israeli soldiers returns Al-Aqsa Mosque key he stole 56 years ago* (20 May 2023)

*synagogue there, in contravention of the status quo, and an outright violation of the rights of Muslims and Muslim Waqf*<sup>70</sup>.

66. On the same day, the Jordanian Mayor of Jerusalem submitted a memorandum to the Personal Representative of the UN Secretary-General, in which he reported:

*“(d) Matters relating to the Holy Places*

*Following repeated desecration of the Christian Holy Places, the Custodian of the Holy Places ordered the closing of some churches under his authority in the Arab sector and refused to open them to visitors. These Holy Places include the Church of Gethsemane, or Church of the Nations, the Church of Bethany, and the Church of the Prison of Christ on the Via Dolorosa”*<sup>71</sup>.

67. As set out in greater detail below, the Mughrabi Quarter has now, as a result of demolitions, alterations and construction projects for which the Israeli authorities bear responsibility, been illegally converted into a greatly expanded area for Jewish prayer space before the Western Wall and other projects implemented as part of a broader Judaization of the Old City of Jerusalem.

## **(B) The Mughrabi Gate Pathway / The Mughrabi Ascent**

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<sup>70</sup> Letter from Sheikh Abd al-Hamid al-Sayeh and others to the Personal Representative of the UN Secretary-General dated 26 August 1967, as annexed to the UN Secretary-General’s report dated 12 September 1967 under UNGAR 2254 (ES-V)

<sup>71</sup> Memorandum concerning the measures taken by Israel with respect to the City of Jerusalem, submitted by Mr. Rauhi El-Khatib on 26 August 1967, as annexed to the UN Secretary-General’s report dated 12 September 1967 under UNGAR 2254 (ES-V)



*Figure 81: Systematic demolitions of historic room, walls and continued excavations and constructions at the MGP, 2004 through 2017.*

72

68. Formerly there existed an ancient earthen ramp that formed a pathway which allowed non-Muslim visitors to access AAM/HAS through the Mughrabi Gate, which is situated on the Western Wall. Hereinafter, this pathway is referred to as the **“Mughrabi Gate Pathway”** (abbreviated to **“MGP”**).

69. By the acts of the Israeli authorities leading to the destruction of the Mughrabi Quarter (as set out above), the MGP was left at an elevated level with reference to the surrounding ground and its sides were exposed to the elements. In February 2004, *“weakened by heavy rain and snow, the northern wall of the pathway collapsed, thus creating risks for the users. The collapse of the*

<sup>72</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 99

wall exposed the vaults of the underlying structures”<sup>73</sup>. Photographs of the MGP prior to and subsequent to the collapse can be seen in a July 2007 report by the Israeli Antiquities Authority<sup>74</sup>.

70. Not content with allowing this to happen, the Israeli authorities, it seems, were intent on ultimately replacing the MGP with a structure that might be described as a ‘military ramp’ leading into AAM/HAS. In July 2005, the Israeli authorities constructed a temporary wooden bridge to allow access to the Mughrabi Gate<sup>75</sup>. On 16 January 2008, *Haaretz* reported that a Jerusalem district planning and construction committee approved a plan to restore the Mughrabi bridge and an expansion of the women’s section of the Western Wall plaza<sup>76</sup>. This destructive activity was undertaken to illegally expand the area for Jewish prayer at the expense of the integrity of AAM/HAS. In 2011, the Jerusalem Municipal Engineer declared the wooden bridge unsafe<sup>77</sup>. Subsequently, in 2014, the wooden bridge was fortified with a steel base<sup>78</sup> in a project undertaken with funds provided by the ‘Western Wall Heritage Foundation’<sup>79</sup> and done without the approval of any of UNESCO, the Government of Jordan or the *Awqaf*. As a 2015 report from Emek Shaveh said:

*“According to sources who were involved in the approval of this plan, the construction of this bridge is intended to facilitate the renovation of the original structure. We would argue, however, that the goal of this construction is to create facts on the ground that will lead to the expansion of the prayer space of the Western Wall while, at the same time, bypassing the need for approval for the construction of a new bridge”*<sup>80</sup>.

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<sup>73</sup> Report of the Technical Mission to the Old City of Jerusalem 27 February-2 March 2007 (12 March 2007), paragraph 12

<sup>74</sup> Israeli Antiquities Authority, *The Mughrabi Ascent Excavation* (July 2007)

<sup>75</sup> Report of the Technical Mission to the Old City of Jerusalem 27 February-2 March 2007 (12 March 2007), paragraph 13

<sup>76</sup> *Haaretz*, *Jerusalem approves controversial Mughrabi bridge project* (16 January 2008)

<sup>77</sup> UPI, *Engineer says Temple Mount bridge to close* (8 December 2011)

<sup>78</sup> The Algemeiner, *Western Wall Authority Begins Work on At-Risk Mughrabi Bridge* (30 August 2021)

<sup>79</sup> Established in October 1988 by Israel’s Ministry of Religious Services, the ‘Western Wall Heritage Foundation’ operates under the auspices of the office of the Prime Minister of Israel. Today it offers through its website (<https://thekotel.org/en/>) tours of the Western Wall tunnels and the opportunity for Jewish visitors to hold Bar Mitzvahs and Bat Mitzvahs there.

<sup>80</sup> Emek Shaveh, *Archaeological Activities in Politically Sensitive Areas in Jerusalem’s Historic Basin* (September 2015), page 11



71. Furthermore, since 2004, the Israeli authorities have been excavating and removing the remains of the MGP in order to expand spaces for Jewish prayer in front of the Western Wall<sup>81</sup>. The *Awqaf* have been prevented from performing emergency restorations and stabilisation measures to the Umayyad, Mamluk and Ottoman remains at the MGP site<sup>82</sup>. Israel has also refused to comply with UNESCO decisions urging Israel to enable the *Awqaf*'s design for the MGP to be executed<sup>83</sup>. Jordan has repeatedly protested to Israel about excavation activities in relation not the MGP, including on 14 February 2006<sup>84</sup> and 5 July 2006<sup>85</sup>.

72. The *Awqaf* issued a communiqué recording how “*On the Morning of February 6, 2007, a very sad image was evoked in the mind of the Palestinians, the Arab and Islamic World and the rest of humanity, as they saw Israeli bulldozers, heavily escorted by Israeli military, proceed through Dung Gate to the Mughrabi Quarter to remove the historic pathway which leads from the Quarter to the Al Aqsa Mosque compound. The image is that of the obliteration of the Mughrabi (Moroccan) Quarter*”<sup>86</sup>. On 7 February 2007, Jordan conveyed to Israel its “*strong condemnation and Protest...on Israel’s excavation work in Bab Al-Magharbeh dilapidated Passageway*”<sup>87</sup>. On 8 February 2007, the Director-General of UNESCO publicly expressed “*deep concern over the work initiated by the Israeli authorities on the site of the Old City of Jerusalem*”<sup>88</sup>. Further condemnation came from the OIC<sup>89</sup> and the Arab Group<sup>90</sup>.

73. From 27 February-2 March 2007, an International technical mission to the Old City of Jerusalem was led by Mr. Francesco Bandarin (then the Director of the World Heritage Centre); it also included Mr. Mounir Bouchenaki (then the Director-General of the International Centre for the Study of the Preservation and Restoration of Cultural Property (“**ICCROM**”)) and Mr.

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<sup>81</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 56

<sup>82</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 98

<sup>83</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 98

<sup>84</sup> *Note Verbale* from Jordan to Israel (14 February 2006)

<sup>85</sup> *Note Verbale* from Jordan to Israel (5 July 2006)

<sup>86</sup> *Awqaf, Communiqué Regarding the Obliteration of Mughrabi Gate Access Pathway* (2007)

<sup>87</sup> *Note Verbale* from Jordan to Israel (7 February 2007)

<sup>88</sup> UNESCO, *The Director-General of UNESCO voices his alarm over the resumption of tensions in the Old City of Jerusalem* (8 February 2007)

<sup>89</sup> Letter from Azerbaijan to UN Secretary-General (9 February 2007) / Letter from Pakistan to UN Secretary-General (17 October 2007)

<sup>90</sup> Letter from Kuwait to UN Secretary-General (9 February 2007)

Michael Petzet (then the President of the International Council on Monuments and Sites (“ICOMOS”)). That technical mission produced a report dated 12 March 2007, which (at paragraphs 48-52) made a series of “*final recommendations*” as follows:

*“48. The Government of Israel should be asked to comply with its obligations regarding archaeological excavations and heritage conservation in World Heritage sites such as the Old City of Jerusalem and, in particular, with Decision 30 COM.34 adopted by the World Heritage Committee in Vilnius in July 2006 on this matter.*

*49. The Government of Israel should be asked to stop immediately the archaeological excavations, given that the excavations that had been undertaken were deemed to be sufficient for the purpose of assessing the structural conditions of the pathway.”<sup>91</sup>.*

74. Unsurprisingly, given their potential to threaten the structural integrity of a Holy Place of unparalleled significance, Israel’s excavations in the vicinity of AAM/HAS are highly likely (if not calculated) to be provocative. In his 20 September 2007 report entitled “*Peaceful settlement of the question of Palestine*”, the UN Secretary-General recorded that “*Israeli excavations surrounding a new link between the Mughrabi Gate to the Haram as-Sharif/Temple Mount in the Old City of Jerusalem led to incidents of civil disorder and tension both on the ground and regionally*”<sup>92</sup>.

75. During the course of visits by Jordanian experts to the MGP site on 23 May 2010, 8 August 2010 and 28 November 2010, those experts:

*“reported that fallen stones could be noticed from the Northern Ottoman wall of the Ascent and the need for emergency stabilisation works to be undertaken. It reiterates their intention to “submit and implement a design for the Mughrabi Gate Pathway to the World Heritage Centre, which maintains the integrity, authenticity and cultural heritage””<sup>93</sup>.*

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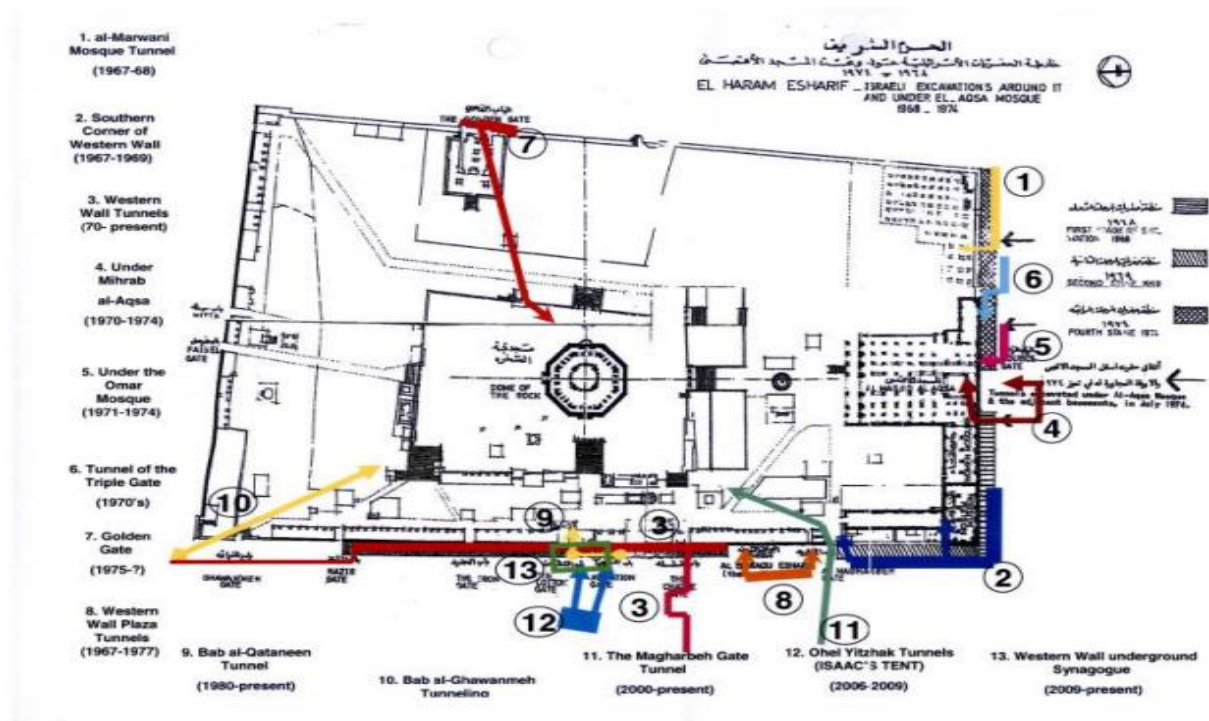
<sup>91</sup> Report of the Technical Mission to the Old City of Jerusalem 27 February-2 March 2007 (12 March 2007)

<sup>92</sup> Report of the UN Secretary-General on “Peaceful settlement of the question of Palestine” (20 September 2007), paragraph 14

<sup>93</sup> World Heritage Committee, Ninth Reinforced Monitoring Report (February 2011), paragraph 5

### (C) Tunnelling – Extensive and Integrity-Threatening Excavation Works In, Around and Underneath AAM/HAS

76. Tunnelling by the Israeli authorities under AAM/HAS and its environs has been going on for decades<sup>94</sup>, subject to protests throughout. In addition to that done in connection with the MGP (as set out above), Israeli tunnelling in, around and underneath AAM/HAS is extensive and intensive. The pretext has been ‘archaeological investigations’. The reality has been the creation of substantial underground cavities which have been used, *inter alia*, for Jewish prayer, meetings of the Israeli Cabinet and (it is difficult to avoid the conclusion), to undermine the integrity of AAM/HAS.



Attempts of Israeli breaches into the walls of AAM/HAS 1967-2000 <sup>95</sup>

<sup>94</sup> “The first archaeological conference in Jerusalem following the six-day war took place in September 1967 ... In the event, excavations got underway only five months after the conference, and they were conducted in the largely empty lot adjacent to the south-western corner of [AAM/HAS]” (Greenberg R, ‘Extreme Exposure: Archaeology in Jerusalem 1967-2007’ in *Conservation and MGMT of Arch. Sites*, Vol. 11 Nos 3-4, Aug 2009, 262-81)

<sup>95</sup> <https://whc.unesco.org/document/127758> (page 31)

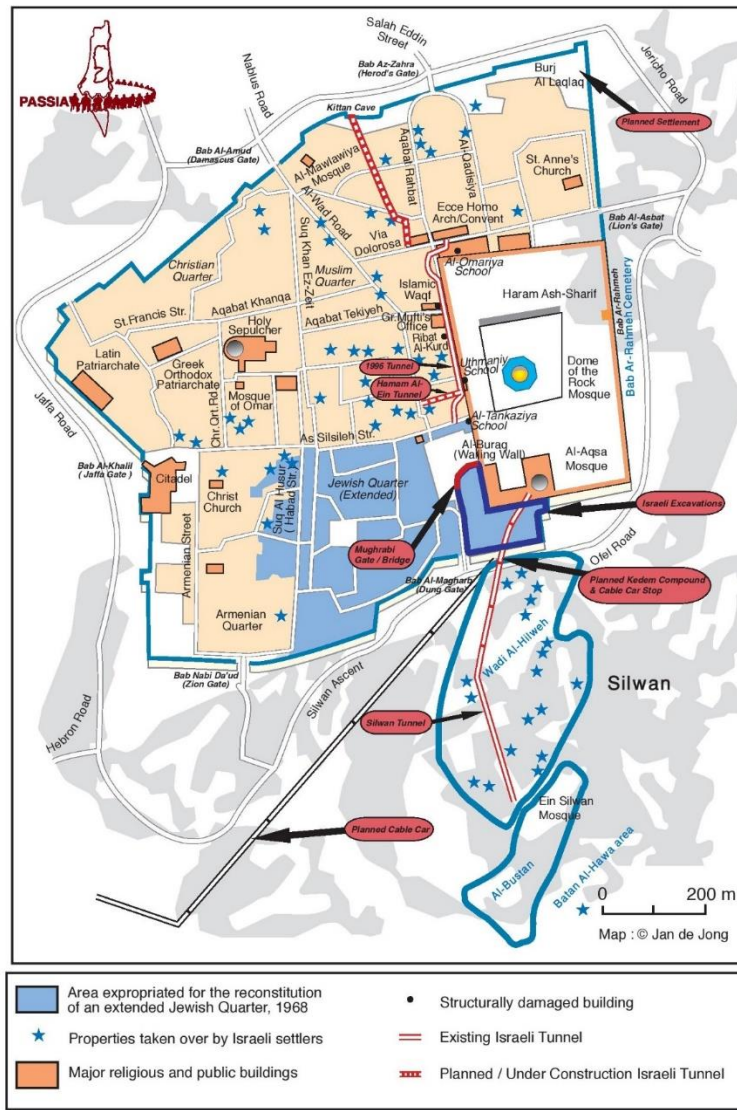
77. For several years, Jordan and Palestine have presented Status Reports to the UNESCO World Heritage Centre on the state of conservation of the Old City of Jerusalem and its Walls<sup>96</sup>. Given its importance, and reflecting international concern surrounding Israel's conduct, the World Heritage Centre produced reinforced monitoring reports on the Old City of Jerusalem and its Walls for several years<sup>97</sup>.

78. The maps/graphics set out below (one produced by PASSIA and another produced by Emek Shaveh) illustrate the locations and extent of the major tunnelling and excavation sites around AAM/HAS; covert massive digging and excavations were conducted, much more extended and damaging, during the period 2000 through 2024:

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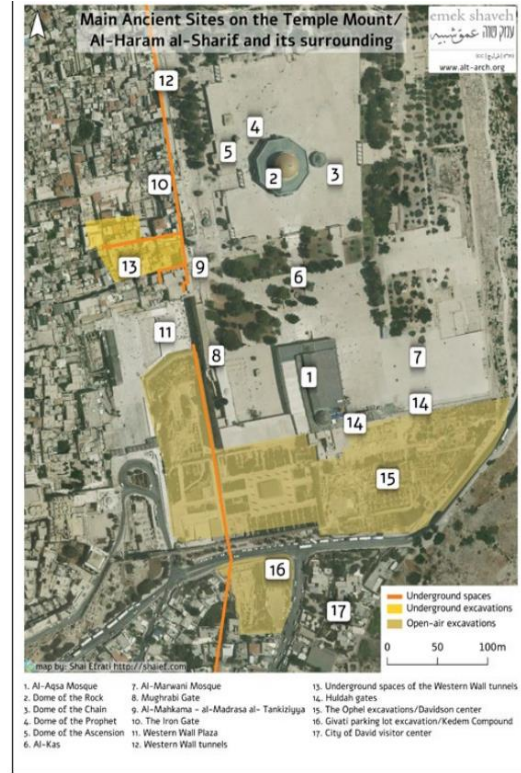
<sup>96</sup> See, for example, Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (16 March 2015) / Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (28 April 2017) / Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019)

<sup>97</sup> See, for example, World Heritage Centre, Fourth Reinforced Monitoring Report (June 2008) / World Heritage Centre, Seventh Reinforced Monitoring Report (February 2010) / World Heritage Centre, Ninth Reinforced Monitoring Report (February 2011) / World Heritage Centre, Tenth Reinforced Monitoring Report (December 2011) / World Heritage Centre, Eleventh Reinforced Monitoring Report (March 2012) / World Heritage Centre, Twelfth Reinforced Monitoring Report (February 2013) / World Heritage Centre, Thirteenth Reinforced Monitoring Report (March 2014)



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79. As a report by Emek Shaveh concluded, “In 1969 excavations in tunnels, today termed the “Western Wall Tunnels,” had begun, extending from the Western Wall plaza towards the north and along the wall which surrounds [AAM/HAS]. The digs carried out by the Ministry of Religion were not conducted as scientific excavations and lacked appropriate archaeological oversight. They created a new underground surface area around [AAM/HAS]; even then they were perceived as a threat to Muslim rights over [AAM/HAS]”<sup>100</sup>.

80. In August 1977, Jordan’s Royal Committee for Jerusalem Affairs prepared a detailed paper entitled “General Conditions in Occupied Jerusalem”. That report included, inter alia, the following:

*“The destruction of Arab properties inside the Jerusalem City Wall:*

*This resulted from the effects of Israeli excavation, made with the excuse of archaeological excavation. The MOA made numerous excavations in the Wailing Wall area to the south and the west of the Haram al-Sharif, under the pretext of*

<sup>99</sup> Emek Shaveh, *The Temple Mount/Haram al-Sharif-Archaeology in a Political Context* (March 2017), page 20

<sup>100</sup> Emek Shaveh, *Archaeology in a Political Context over the Temple Mount/Haram al-Sharif* (January 2015), page 12



*searching for the so-called remains of the Temple of Solomon, with its relevance to Jewish history. These excavations were a factor in shaking the foundations of numerous properties of the Islamic Waqf, leading to their collapse and destruction, among which buildings were residential buildings, as well as houses of religious and cultural instruction, which destruction led to the evacuation of further Arab inhabitants. These excavations led to the damaging of the Al-Zawia Al-Fakhria and 14 adjoining properties, as well as the destruction of another Zawia or corner known as Rabat Al-Kurd and the Moslem school, the Madrasa Al-Jawharia. These excavations reached the foundation of the southern wall of the Haram Al-Sharif and the foundations of the Masjid Al-Aqsa and the foundations of the Masjid Omar, as well as the southeastern foundations of the Masjid Al-Awsa [sic] and threatened the very foundations of the Masjid Al-Aqsa itself. UNESCO strongly condemned the continuation of these excavations by MOA and asked that they be terminated, threatening to cease all cultural and financial assistance to Israel if the Israelis continued to ignore the UNESCO condemnation and the excavations continued notwithstanding”<sup>101</sup>.*

81. On 26 March 1984, the stairs at the main entrance to the Higher Islamic Council collapsed as a result of Israeli digging under AAM/HAS and other religious and *Waqf* structures in Jerusalem. On 1 June 1984, the Permanent Representative of Jordan wrote to the UNESCO Director General to report on the violation<sup>102</sup>.

82. In protest against the Israeli authorities’ tunnelling activities between the Tankzaiyya School and the Ghawanmeh Gate, the *Awqaf* issued a statement in July 1988 clarifying that the relevant area was *Waqf* property, and stating that “*the intention to open the tunnel near Ghawanmeh Gate on a private Islamic pathway owned by the Waqf clearly has the intention of taking control of one of the Al-Aqsa Mosque Gates*”. The *Awqaf* “*unequivocally refuse[d] the opening of the tunnel and demand[ed] returning to previous conditions*”<sup>103</sup>.

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<sup>101</sup> Royal Committee for Jerusalem Affairs, *General Conditions in Occupied Jerusalem* (August 1977), pages 5-6

<sup>102</sup> See letter from Jordan to UNESCO Director-General (1 June 1984), referred to in the UNESCO Director-General’s report on “*Cultural heritage of Jerusalem*” (27 August 1981)

<sup>103</sup> Statement from Higher Moslem Council (July 1988)

83. On 23 September 1996, the Israeli authorities, in the course of excavations, opened the entrance to a 500-yard tunnel running parallel to the Western Wall<sup>104</sup>. This act caused significant clashes between the Israeli authorities and the Palestinian population. This is one of the clearest and most egregious examples of Israel's conduct undermining the integrity of AAM/HAS and all structures appertaining thereto. There was no legitimate basis for the tunnelling. The initial pretext/subterfuge was that this was an archaeological site. Now it is used as a place of worship for Jewish people. On 24 September 1996, the Permanent Observer of Palestine to the United Nations wrote to the UN Secretary-General as follows:

*“Israel, the occupying Power, has committed yet another dangerous violation of its obligations under international law, international humanitarian law and relevant Security Council resolutions. On the evening of Monday, 23 September 1996, the Israeli occupying authorities, under the protection of army units, opened an entrance to a tunnel in the vicinity of Al-Haram Al-Sharif in occupied East Jerusalem. The tunnel extends for approximately 500 yards, parallel to the Western Wall of Al-Aqsa Mosque. It runs from the south-west corner of Al-Aqsa wall until Bab Al-Gawanimah at the north-west corner, continuing eastward and north to Al-Aqsa Mosque. The ground broken for the opening of the tunnel is located at the stairs leading to Al-Rawda School, which is owned by the Islamic Waqf and is situated north of Al-Aqsa Mosque. As such, the opening of this entrance and any use of the tunnel endanger the security and integrity of Al-Aqsa Mosque and the foundations of the Islamic structures existing above the tunnel”*<sup>105</sup>.

84. On 16 October 2017, the Israeli Antiquities Authority published a slick propaganda video entitled “*New Discoveries at the Western Wall Tunnels*” on its official YouTube channel which demonstrates the enormity of the excavations that have taken place at Wilson's Arch (connected to the Western Wall), the space underneath which was converted into a synagogue in 1967. The

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<sup>104</sup> A report by Emek Shaveh considered this to be, after the destruction of the Mughrabi Quarter, “*The next most significant change*” and noted that “*Some Jewish groups seek to convert that space into a Jewish place of prayer. Encouraged by the political orientation of the present government, these groups are motivated to intensify their struggle to increase Jewish presence at [AAM/HAS]*” (Emek Shaveh, *The Temple Mount/Haram al-Sharif-Archaeology in a Political Context* (March 2017) ). This has now, indeed, happened.

<sup>105</sup> Letter from Palestine to UN Secretary-General (24 September 1996)

video also depicts Israeli youth groups being given the opportunity to take part in excavations (including apparently swinging pickaxes)<sup>106</sup>.

85. Today, the extent of the excavations is such that various private and State-supported Israeli and Jewish entities offer tours of the tunnels that have been excavated underneath the Western Wall, including offering Jewish visitors the opportunity to take part in the excavations themselves<sup>107</sup>.

86. The main differences between the past and the current excavations are represented in two aspects. The majority of today's illegal excavations are conducted by extreme settler organizations; most of them are not archaeology professionals. Secondly, today's results of excavations more extreme ideological claims that almost everything discovered is Jewish-temple related.

87. The *Awqaf* continues to protest against Israeli excavations in the vicinity of AAM/HAS. On 25 June 2022, the *Awqaf* publicly spoke out against “*suspicious*” Israeli excavations taking place in the vicinity of AAM/HAS, commenting that “*a group of workers, with bulldozers and excavation equipment, have been working with suspicious haste in the area*”. This activity has resulted noticeable damage to the walls towards the southern area of AAM/HAS, including holes in the walls<sup>108</sup>. These excavations were intensified deeper under and over the ground in 2023 and 2024. *Awqaf* has reported tens of videos of drilling sounds, tens of settlers participating in the illegal excavations and lorries transferring unearthed rocks and remains. The most painful and dangerous videos were showing Israeli workers breaking archeological stone remains of the

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<sup>106</sup> Israeli Antiquities Authority Official YouTube Channel, *New Discoveries at the Western Wall Tunnels* (16 October 2017) (<https://www.youtube.com/watch?v=29kVDSYA4hY>)

<sup>107</sup> In addition to the Western Wall Foundation (described above), such entities include: (1) ‘City of David’, which offers a tour called “Western Wall Cornerstone” and advertises to visitors “*We will progress in the depths of an underground tunnel through the Second Temple Period ... The route ends at an exit from the foundations of the Western Wall, next to the 2,000-year-old stones*” (<https://cityofdavid.org.il/en/product/tour-corner-western-wall-eng/>), and (2) ‘The Official Jerusalem Travel Site’, which offers visitors an opportunity to “*JOIN THE TEMPLE MOUNT SIFTING PROJECT & REVEAL JERUSALEM’S BURIED SECRETS*”, and promotes the false narrative that “*It all started in 1999 when illegal construction work on the Temple Mount was initiated by the Muslim Waqf. To protect the historical value of the soil, huge amounts of earth containing archaeological remains of the temple were excavated and evacuated to Kedron Creek. Since the Temple Mount is inaccessible for archaeological excavation, sifting the dirt removed from it provides a rare opportunity to uncover the archaeological treasures that remained hidden in the mountain’s soil*” (<https://www.itraveljerusalem.com/evt/experience-archaeology-first-hand-sifting-jerusalems-temple-mountain-soil/>), (3) ‘The Temple Mount Sifting Project’, which runs a 2-hour program wherein visitors can participate by sifting material removed from AAM/HAS (<https://tmsifting.org/en/participate/>)

<sup>108</sup> The National, *Islamic religious authorities warn of ‘suspicious’ Israeli excavation at Al Aqsa Mosque* (25 June 2022)

Umayyad Palaces into small pieces in order to transform them from historic eyewitness (full stones) into sand and soil that can be thrown away.

#### **(D) Military Assault(s) on the Al-Qibli Mosque**

88. As set out above, the Al-Qibli Mosque is amongst the most significant structures for Muslims at AAM/HAS. Yet, it has been the subject of repeated violations, including large-scale assaults by the Israeli military and police.

89. Between 1967 and 2024, thousands of Israeli security and military missions, political figures and religious leaders entered AAM/HAS accompanied by the Israeli military and police. In most cases, these provocative incursions resulted in clashes with Muslim worshippers and during the course of the visits the Israeli military reacted in a brutal manner and fired stun grenades inside AAM/HAS, causing injuries to worshippers and physical damage to the mosque<sup>109</sup>.

90. The most sever attack, which was announced with the intention to change Status Quo, was well known as PM Ariel Sharon raid onto AAM/HAS on 28 September 2000. The provocative visit led to the bloody Second Intifada, which resulted in thousands on injuries, waves of violence and escalation in Jerusalem and all Palestine 2000-2005.<sup>110</sup>

91. On 10 May 2021, the Israeli security forces stormed AAM/HAS and launched an attack with stun grenades, tear gas and rubber-coated metal bullets. Significant damage was done to the Al-Qibli Mosque, with historic windows being smashed by the impact of grenades. Videos taken from inside the Al-Qibli Mosque during that attack and uploaded to YouTube illustrate the violence inflicted by the Israeli occupation forces on Muslim worshippers<sup>111</sup>.

92. In April 2022, during Ramadan, very significant clashes took place as a result of Israeli violations and provocations against Muslim worshippers and against AAM/HAS. During the forcible and violent intrusion by armed Israeli personnel, the Israeli authorities did malicious damage to the Al-Qibli Mosque. Dozens of historic glass windows were deliberately broken by

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<sup>109</sup> Letter from Palestine to UN Secretary-General and UNSC President (14 October 2014)

<sup>110</sup> [BBC NEWS | Middle East | Al-Aqsa Intifada timeline](#)

<sup>111</sup> Al Jazeera Arabic, شاهد قوات الاحتلال تهاجم المصلين في المسجد القبلي بالقنابل والغاز المسيل للدموع (Machine English translation: Watch the occupation forces attack the worshippers in Al-Qibli Mosque with bombs and tear gas) (<https://www.youtube.com/watch?v=Y2claq68J7w&t=9s>)

the Israeli occupation forces to shoot at Muslim worshippers inside the Al-Qibli Mosque causing significant damage to the carpet and the *minbar* as well <sup>112</sup>:

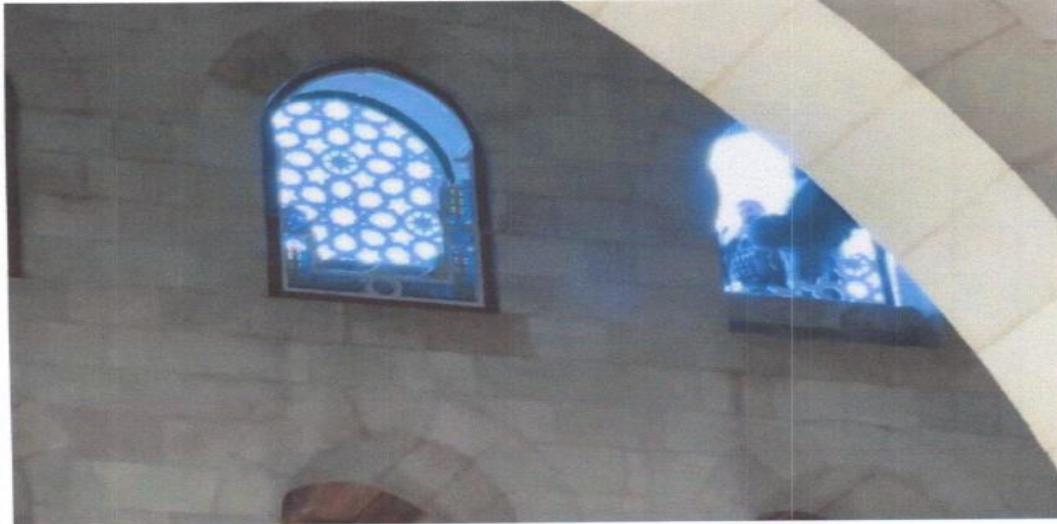


(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 April 2022<sup>113</sup>. The *Awqaf*'s description of the photograph in English was “*The Israeli Special Forces broke the glass wall of Salahuddeen Minber by shooting it with rubber bullets*”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 April 2022<sup>114</sup>. The *Awqaf*'s description of the photograph in English was “*Israeli occupation forces broke down 29 windows of the Qibli Mosque, including the 11 double face stucco colored glass windows of the western wall of the top roof of the Qibli Mosque*”)

93. On 6 April 2023, Israeli occupation forces ascended the roof of the Al-Qibli Mosque and smashed its coloured decorative windows:

<sup>112</sup> Letter from Palestine to UN Secretary-General, UNGA President and UNSC President (15 April 2022) / Letter from Algeria to UN Secretary-General conveying message from the President of Algeria (18 April 2022) / Letter from Israel to UN Secretary-General and UNSC President (21 April 2022) / Letter from Malaysia to UN Secretary-General conveying letter from Malaysia's Minister of Foreign Affairs (21 April 2022)



انتهاك: اعتلاء القوات الخاصة الإسرائيلية سطح المسجد القبلي في المسجد الأقصى المبارك/الحرم القدسي الشريف وتكسير أحد شبابيك المسجد القبلي الجصية  
المكان: سطح المسجد القبلي  
التاريخ: 06.04.2023  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك

**The Violation:** Israeli police forces storms the Roof of Al-Qibli Mosque at Al-Aqsa Mosque/Al-Haram Al-Sharif and breaks its decorated windows.  
**Location:** roof of al-Qibli Mosque  
**Date:** 6 April 2023  
**Source:** Jerusalem Awqaf and Al-Aqsa Mosque Affairs Department

(The photograph above was enclosed with a protest note sent by the *Awqaf* to the Israeli police dated 3 May 2023<sup>115</sup>)

#### (E) Failure to Prevent Serious Arson Attack on the Al-Qibli Mosque

94. On 21 August 1969, the main prayer hall inside the Al-Qibli Mosque was set on fire. The fire was started by an Australian Zionist Denis Michael Rohan. In what was reportedly his second attempt to start a fire at AAM/HAS, Mr. Rohan on this occasion was able to bring multiple containers of flammable materials inside AAM/HAS and inside the Al-Qibli Mosque, placing them below the steps of the 12<sup>th</sup> century *Minbar* of Saladin, and setting them alight. The *Minbar* was destroyed, together with much of the southern and southeastern parts of the Al-Qibli Mosque. Mr. Rohan was arrested on 23 August 1969. At his trial, he was found to be insane and was placed in a psychiatric institution<sup>116</sup>. Since the beginning of the occupation, and at all material times, Israeli

<sup>116</sup> ABC News, *The Australian shearer who torched Al Aqsa Mosque in a bid to bring on the apocalypse* (23 August 2019)



occupation forces have manned all external entry points. At the very least, Israel's responsibility as an Occupying Power to protect AAM/HAS was found seriously wanting<sup>117</sup>.

## **II. Obstruction of Access for Worshippers (including Attacking Worshippers)**

95. The Israeli authorities have repeatedly engaged in conduct that has the effect of obstructing worshippers' access to the Holy Places. The Israeli authorities have repeatedly and deliberately obstructed worshippers' access to the Holy Places. This is done through a number of measures, including (i) closing entry points and using physical barriers, (ii) limitations on numbers of worshippers and the times at which they can enter, (iii) entry bans upon worshippers (either individually or by category) and religious leaders, and (iv) full closure of certain Holy Places (sometimes at moments of particular religious significance).

96. Most unfortunately such measures have included physical (sometimes fatal) assaults upon worshippers and religious leaders either by extremist Jews (under the protection of) or by the Israeli military and police themselves.

97. Jerusalem Awqaf reports show a tangible decline in number of Muslim worshippers, who can reach al-Aqsa, especially when Israel started to Isolate Jerusalem from the rest of the West Bank 2004-2010. Sever decline in numbers of Muslim worshippers was recorded during the period 2018-2024.

### **(A) Physical assaults upon worshippers and religious leaders**

98. On 15 January 1988, Israeli troops opened fire and used tear gas on worshippers performing Friday prayers inside AAM/HAS<sup>118</sup>. The President of the High Islamic Commission, Sheikh Saadeddine Al-Alami, wrote a letter (conveyed to the UN Secretary-General) in which he urged "*the whole world must resolutely condemn those barbaric outrages, which are contrary to international norms and customs*".

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<sup>117</sup> On 15 September 1969, the UN Security Council adopted UNSCR 271 (1969), "*grieved at the extensive damage caused by arson to the Holy Al Aqsa Mosque in Jerusalem on 21 August 1969 under the military occupation of Israel*" and "*determine[d] that the execrable act of desecration and profanation of the Holy Al Aqsa Mosque emphasizes the immediate necessity of Israel's desisting from acting in violation of [earlier resolutions of the UN Security Council and UN General Assembly] and rescinding forthwith all measures and actions taken by it designed to alter the status of Jerusalem*"

<sup>118</sup> Letter from Kuwait to UN Secretary-General (20 January 1988) conveying OIC communiqué (15 January 1988) / Letter from Kuwait to UN Secretary-General (18 January 1988) conveying letter from President of the High Islamic Commission (16 January 1988)

99. On 4 October 2009, Palestinians attempted to stay inside AAM/HAS to protect it from continued incursions by Jewish extremists. They were attacked by Israeli occupation forces in doing so<sup>119</sup>.

100. The Patriarchs and Heads of Churches in Jerusalem issued a statement on 14 December 2021, highlighting, *inter alia*, the failure of groups and entities for which Israel is responsible to take effective measures to completely prevent from attacking Christians:

*“Throughout the Holy Land, Christians have become the target of frequent and sustained attacks by fringe radical groups. Since 2012 there have been countless incidents of physical and verbal assaults against priests and other clergy, attacks on Christian churches, with holy sites regularly vandalized and desecrated, and ongoing intimidation of local Christians who simply seek to worship freely and go about their daily lives. These tactics are being used by such radical groups in a systematic attempt to drive the Christian community out of Jerusalem and other parts of the Holy Land.”*<sup>120</sup>

101. On 4-5 April 2023, during Ramadan, many Palestinian worshippers had (following religious practice) stayed in AAM/HAS overnight to pray. Before dawn, Israeli occupation forces raided AAM/HAS using batons, stun grenades and tear gas. During the violence, chandeliers and several doors of the Al-Qibli Mosque were damaged<sup>121</sup>.

102. In April 2022, during Ramadan, very significant clashes took place as a result of Israeli violations and provocations against Muslim worshippers and against AAM/HAS. The Israeli flag was raised inside AAM/HAS. Israeli occupation forces raided AAM/HAS during dawn prayers and attacked Palestinian worshippers with rubber bullets, stun grenades and tear gas, causing injuries to more than 150 people. More than 400 were arrested and detained<sup>122</sup>.

103. In 2024, the physical control exercised by Israeli authorities over AAM/HAS extended beyond direct assaults to include intensified surveillance and infrastructure developments aimed

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<sup>119</sup> Letter from Palestine to UN Secretary-General and UNSC President (5 October 2009)

<sup>120</sup> Patriarchs and Heads of Local Churches of Jerusalem, *Statement on the Current Threat to the Christian Presence in the Holy Land* (13 December 2021)

<sup>121</sup> Letter from Palestine to UN Secretary-General and UNSC President (5 April 2023)] / Letter from Jordan to UNSC President (10 April 2023) / Jordanian-Palestinian Protest to UNESCO Director-General (11 April 2023)

<sup>122</sup> Letter from Palestine to UN Secretary-General, UNGA President and UNSC President (15 April 2022) / Letter from Algeria to UN Secretary-General conveying message from President of Algeria (18 April 2022) / Letter from Israel to UN Secretary-General and UNSC President (21 April 2022) / Letter from Malaysia to UN Secretary-General conveying letter from Malaysia's Minister of Foreign Affairs (21 April 2022)

at consolidating security presence and suppressing worshipper activity. These developments have raised serious concerns regarding violations of privacy, freedom of worship, and the further erosion of the site's sanctity.

104. On 10 March 2024, the Jordanian Jerusalem Awqaf reported that Israeli forces interfered with Ramadan preparations by blocking the entry of essential medical supplies and tents into Al-Aqsa.

105. In parallel, Israeli police installed advanced surveillance systems on the roof of the Tankaziya School, overlooking the Al-Aqsa Plaza. These systems reportedly included high-resolution cameras and voice recognition devices, allowing for the real-time tracking and audio monitoring of worshippers' movements and interactions.

106. Further developments in February 2024 included the erection of new surveillance towers and the installation of additional security cameras within and around the mosque compound. These systems were strategically positioned to monitor worshippers at key access points and within the prayer areas, further amplifying the atmosphere of restriction and intimidation. Such measures were widely condemned as violations of the mosque's sanctity and as constituting a breach of the historical and legal status quo.

107. Adding to these concerns, in October 2024 Israeli police announced plans to construct a new three-story police station near Al-Hadid Gate on Al-Wad Street in the Old City. The proposed facility, approved by the Israeli District Planning and Building Committee, is expected to serve as both a security outpost and a rapid deployment center for forces intervening at Al-Aqsa. Experts warned that the upper levels of the station could serve surveillance or even settler purposes, with the top floor offering a commanding view over the Mosque and its immediate vicinity. Critics have described the project as part of a broader effort to entrench Israeli control and to establish a permanent security apparatus embedded within the fabric of the Old City.

108. These developments represent a shift from physical suppression to technological domination—part of an expanding toolkit designed to control the religious life of Muslim worshippers at Al-Aqsa and to entrench the presence of the Occupying Power within its most sacred spaces.

#### **(B) Refusal of entry to worshippers and/or religious leaders**

109. From around 2002, Israeli police have taken measures to obstruct worshippers, priests, nuns and organisers from accessing Easter celebration ceremonies at the Church of the Holy Sepulchre. Israeli practice in this regard has continued in subsequent years. Christian leaders and institutions have repeatedly voiced strong complaints<sup>123</sup>.

110. On 4 September 2013, on the eve of the Jewish New Year, around 40 Jewish extremists, accompanied by Israeli occupation forces, entered AAM/HAS, leading to protests by Palestinian worshippers. The Israeli occupation forces provocatively stormed AAM/HAS, using pepper spray, and injured 3 people. Jerusalem's Grand *Mufti*<sup>124</sup>, along with other religious and prominent Palestinian figures, was banned from entering AAM/HAS<sup>125</sup>. AAM/HAS was closed for Muslim worshippers under the age of 50. Preventing access for worship became a regular measure on the part of the Israeli authorities. The assertion that this was done for security belies its inherently provocative nature and effect.

111. In 2024, the mistreatment of worshippers at Al-Aqsa Mosque intensified markedly. Israeli forces not only imposed sweeping restrictions on access but also escalated their use of physical force against Palestinian worshippers, including the elderly, women, and children. Harassment, arbitrary arrests, and even expulsion orders became regular tools used to intimidate and reduce Muslim presence at the site. Expulsion orders, in particular, were issued to prevent individuals from accessing the mosque during key religious occasions, underscoring an increasingly punitive and exclusionary approach.

112. On 6 July 2024, the Jerusalem Awqaf Council issued a strong condemnation of the Israeli police's actions, reporting that large numbers of worshippers were brutally assaulted and forcibly

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<sup>123</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 69 (11 April 2022) / Protecting Holy Land Christians, *Statement by the Jerusalem Patriarch Rejecting the Proposed Restrictions on the Holy Fire Ceremonies* (21 April 2022)] / Protecting Holy Land Christians, *Patriarchs and Heads of the Churches in Jerusalem Easter Message — 2023* (31 March 2023) / Protecting Holy Land Christians, *Celebration of One of Christianity's Most Important Religious Ceremonies To Be Unreasonably Restricted by Israeli Police* (12 April 2023)

<sup>124</sup> Sheikh Mohammad Hussein, the Grand *Mufti* of Jerusalem, had previously been arrested in May 2013 by the Israeli police and questioned for around 6 hours before being released without charge. The Israeli police spokesperson, Mr. Micky Rosenfeld, reportedly said that the *Mufti* was arrested to answer questions about “*public disturbance*” near AAM/HAS. The *Mufti* reportedly said “*They took me from my house at eight in the morning, accusing me of incitement...I do not incite. I protect al-Aqsa mosque, and that is the nature of my work*” (Reuters, *Israel police hold Jerusalem Muslim cleric for six hours* (8 May 2013))

<sup>125</sup> Letter from Palestine to UN Secretary-General and UNSC President (20 September 2013) / Statement by the Permanent Observer of Palestine at the 57th plenary meeting of the 68th session of the UN General Assembly under the agenda item “Question of Palestine” (25 November 2013)

expelled from the mosque's gates. Police forces reportedly pursued those expelled into the surrounding streets. The Council warned of a broader Israeli plan aimed at restricting Muslim prayer and asserting control over the Mosque's administration and religious character.

113. Armed military incursions into Al-Aqsa Mosque also reached alarming new levels in 2024. On 1–2 June, Israeli police permitted armed Border Security units—equipped with M-16 rifles—to enter the mosque's prayer areas. This unprecedented move drew immediate objection from the Jordanian Jerusalem Awqaf, which decried the militarization of the sacred space and the provocation inherent in deploying such weaponry within a house of worship.

114. Simultaneously, an increased presence of armed Israeli personnel at the mosque's gates heightened tensions and undermined the sanctity of the site. Israeli forces also interfered in the mosque's internal affairs by preventing Al-Aqsa guards from distributing modest clothing to non-Muslim tourists and religious extremists entering the compound—actions that violate long-standing customs and the mosque's sanctity. These interventions constitute serious breaches of established protocols and are widely viewed as efforts to erode the religious and administrative autonomy of the Islamic authorities at Al-Aqsa.

115. On 16 April 2014, Israeli occupation forces used the wooden/steel ramp at the MGP to enable more than 1000 armed Israeli occupation forces, including “border police”, “special units” and snipers, to enter AAM/HAS, leading to clashes with Muslim worshippers. Thereafter, Israeli occupation forces were deployed at all AAM/HAS gates and Palestinian men under the age of 50 were denied entry<sup>126</sup>. This was a clear turning point in the Israeli Occupation's plan to militarize the security forces in AAM/HAS in order to protect the plans to Judaize it. 2024 represented a prominent record in incidents of Talmudic prayer and numbers of extremist settlers who conduct Jewish rituals in the site.

116. On 27 May 2014, thousands of Jewish extremists led by 30 rabbis marched through the Old City, accompanied by Israeli occupation forces who fired stun grenades and rubber-coated bullets at Palestinian worshippers, who were denied entry to AAM/HAS during that time<sup>127</sup>. This tour has later on escalated into provocative annual practice 2014-2024.

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<sup>126</sup> Letter from Palestine to UN Secretary-General and UNSC President (16 April 2014)

<sup>127</sup> Letter from Palestine to UN Secretary-General and UNSC President (29 May 2014)

117. The Israeli police have for many years imposed additional restrictions during the month of Ramadan, particularly on Fridays (a highly significant day for Muslims). Restrictions often involve roadblocks and the prevention of Muslim men under a certain age threshold (sometimes 40, sometimes 50, sometimes 55) from entering AAM/HAS. In March 2023, Muslim men attempting to enter AAM/HAS were prevented from doing so by heavily armed Israeli police<sup>128</sup>. Such indiscriminate actions, timed at the most sensitive time for Muslim worshippers, can only be viewed as provocation. An alternative (but no less illegitimate) explanation would be some form of collective punishment for protests and/or other actions sparked by the illegal occupation.

118. Post-October 7th 2023, Israel implemented arbitrary and discriminatory restrictions on the access of worshippers to AAM/HAS, described by Israeli expert Eran Tzidkiyahu as a “thinning” policy. Israeli authorities imposed strict age limits on Muslim worshippers attempting to access the site, both on Fridays and on weekdays. Additional restrictions were enforced based on the worshippers’ area of residence, with access largely limited to elderly residents of the Old City—many of whom were subjected to up to three invasive searches on their way to the Holy Site. Gender-based restrictions were also reported, with male worshippers barred from entry while some women were permitted access. At times, worshippers were outright expelled from the Mosque by force, rendering AAM/HAS almost entirely empty. Meanwhile, access remained unimpeded for Jewish settlers and Temple Movement activists. “Over 5,000 Jews went up to pray at the site of the outbreak of the war—an all-time record,” boasted the so-called “Temple Mount Administrator.”

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<sup>128</sup> Middle East Eye, *Israeli forces restrict access to Al-Aqsa during first Friday prayers of Ramadan* (24 March 2023)





(The photograph (left) above shows Muslim worshippers banned from reaching AAM/HAS and forced to pray in the streets of East Jerusalem on December 29, 2023)

(The photograph (Right) above shows Muslim worshippers forced to go through check points and rigorous searches on their way to AAM/HAS on December 22, 2023)



(The photograph (left) above shows Muslim worshippers banned from reaching AAM/HAS being attacked with Tear gas before even getting up from their prayer on December 8, 2023)

(The photograph (right) above shows Anadolu photojournalist Mustafa al-Kharouf after being attacked by Israeli occupation forces while covering Muslim prayers at Wadi al-Joz on December 15, 2023)

119. Israel exploited 2023/2024 War on Gaza to transform the Old City of Jerusalem into a heavily fortified encampment, blanketed by Israeli police checkpoints and concrete barriers. Many young worshippers, denied entry to the Mosque, were forced to perform prayers in the surrounding streets. Spontaneous mass prayer centers emerged in areas like Wadi al-Joz and Ras al-Amoud, yet

these too were repeatedly targeted by Israeli occupation forces using tear gas, rubber-tipped bullets, skunk water, physical beatings, and mass arrests. Journalists attempting to cover these gatherings were similarly assaulted, with several injured while documenting events on the ground.



Palestinians arrive at Israeli checkpoint to cross for Ramadan prayers

[Watch >](#)

120. While some of these restrictions appeared to ease later in 2024, the overarching policy of systematic obstruction persisted. Worshippers continued to face degrading searches, confiscation of personal belongings, arbitrary detentions, and frequent denials of entry—often justified by claims of arriving during “non-prayer times.” This rationale is increasingly seen as a vehicle for enforcing a temporal division at AAM/HAS, particularly during the hours of Jewish incursions.

121. In March 2024, the Israeli authorities escalated these measures by installing permanent iron barriers at three key gates to the Mosque. The Jordanian Ministry of Foreign Affairs strongly condemned the move as “dangerous” and “unacceptable,” affirming that Israel, as the occupying power, lacks sovereignty over East Jerusalem and has no legal authority to regulate entry to the Mosque. The Ministry called upon the international community to intervene and halt such violations of international law.





A view of iron cage as Israeli forces installed an iron cage at the King Faisal Gate of the Al-Aqsa Mosque compound in East Jerusalem on March 14, 2024.

122. In parallel, Israeli authorities intensified restrictions on foreign Muslims attempting to worship at AAM/HAS. Pilgrims from countries such as the United Kingdom, Turkey, South Africa, and Indonesia were often denied entry—especially for the dawn prayer. In many cases, Israeli police cited “security concerns” as justification. Foreign Muslims were frequently told they could only enter during designated “tourist” hours, and not at actual times of prayer. This discriminatory policy appears designed to dilute the Mosque’s status as a global Islamic landmark, reducing its religious significance to a local Palestinians .

123. Restrictions reached a new peak during the holy month of Ramadan in 2024. On orders from Israeli National Security Minister Itamar Ben-Gvir, strict caps were imposed on the number of worshippers permitted to attend Friday prayers at Al-Aqsa. Ben-Gvir openly advocated for barring all Palestinian residents of the West Bank from accessing Jerusalem during Ramadan, stating: “We should not allow residents from the [Palestinian] Authority to enter Israel in any way... We cannot take chances and risks.” He further cited the inability of Israeli police to safely manage crowds at the Mosque’s entrances as justification for the restrictions. These statements and actions

were widely viewed as deliberate attempts to further curtail Muslim worship at Al-Aqsa under the guise of security management.

### **(C) Blockade of certain Holy Places**

124. On 29-30 October 2014, the Israeli authorities took the unprecedented step of sealing off the entire AAM/HAS compound (for the first time since 1967). Palestinian worshippers and students studying inside AAM/HAS were unable to gain entry. The *Muezzin* was unable to enter and could not lead the call to prayer for the Muslims of Jerusalem. The pretext for this was the non-fatal shooting of Yehuda Glick (an incendiary advocate for greater numbers of Jewish visitors to AAM/HAS, who was a member of the Israeli Knesset from 2016-2019, and who was a candidate in Israel's 2021 presidential elections)<sup>129</sup>. The shooting took place at the Menachem Begin Heritage Center in West Jerusalem<sup>130</sup>, nearly 2 kilometres away from AAM/HAS. Israel's Public Security Minister, Yitzhak Aharonovich, and the Jerusalem Police Chief, Moshe Edri, reportedly closed AAM/HAS "*due to intelligence assessments and security concerns at the site*"<sup>131</sup>. It was clear that Israel waits for violent, religious or peaceful incident to commit a new violation against AAM/HAS.<sup>132</sup>

125. In a further example of provocation (if not unlawful collective punishment) by Israel of the Palestinian population, AAM/HAS was again sealed off by the Israeli authorities on 5 November 2014<sup>133</sup>. Whatever the pretext, within days, Israel purported to 'move the goalposts' in respect of the *Status Quo* and/or the Custodianship by asserting that the Custodianship only apply to the Al-Qibli Mosque, not AAM/HAS (a move immediately rejected by Jordan).

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<sup>129</sup> Letter from Palestine to UN Secretary-General and UNSC President (30 October 2014) / The Jerusalem Post, *Jerusalem's Temple Mount closes to all visitors after shooting of Yehuda Glick* (30 October 2014) / BBC News, *Jerusalem holy site closure 'declaration of war' - Abbas* (30 October 2014) / The Guardian, *Israel closes Al-Aqsa mosque compound to all visitors* (30 October 2014)

<sup>130</sup> The Jerusalem Post, *Police and Shin Bet kill suspect in shooting of right-wing activist Yehuda Glick* (30 October 2014)

<sup>131</sup> The Jerusalem Post, *Jerusalem's Temple Mount closes to all visitors after shooting of Yehuda Glick* (30 October 2014)

<sup>132</sup> As a June 2015 report by Emek Shaveh concluded, "*The data shows that when there are political and security tensions in Jerusalem, the status quo on [AAM/HAS] is harmed. For example, in 2014 the Israeli police imposed age restrictions on worshipers 41 times. This amounts to nearly 15% of the year. This number indicates that the feeling among Palestinians that Israel is changing the status quo in the area, is backed up by police data, even if the restrictions are made due to extenuating circumstances, such as the murder attempt of Yehuda Glick*" (Emek Shaveh, *Denial of Access and Worship on the Temple Mount / Haram al-Sharif in 2012-2014* (June 2015), page 6)

<sup>133</sup> Letter from Palestine to UN Secretary-General and UNSC President (5 November 2014)

126. On 17-19 August 2018, following a knife attack, the Israeli police closed AAM/HAS and forcibly removed Muslim worshippers and *Awqaf* staff<sup>134</sup>.

127. On 18 February 2019, following protests by Palestinians, in the course of which there was an attempt to break a chain that the Israeli police had unlawfully deployed at the Bab Al-Rahmah building, the Israeli police closed AAM/HAS<sup>135</sup>.

### **III. Obstruction of Restoration and/or Maintenance Work**

128. The Israeli authorities have frequently and increasingly interfered with, prevented and/or obstructed the carrying out of important restoration, repair and maintenance works at the Holy Places, including those to be done by the *Awqaf*. *Awqaf* employees have often been refused access to buildings and areas within their place of work – AAM/HAS.

129. On 26 July 2005, Jordan protested to Israel and demanded “*an immediate explanation of the unlawful treatment of the Jordanian administrative staff of the Awqaf and Islamic Affairs including physical assault and prevention from entering the AL Aqsa Mosque by the Israeli police*”<sup>136</sup>.

130. On 15 April 2015, Uri Ariel, Israel’s Minister of Construction, requested Israel’s Prime Minister to order the Israeli police to stop renovation works being carried out by the *Awqaf* at AAM/HAS<sup>137</sup>. Irrespective of the direction from this high ranking official, Israel has otherwise deployed multiple means to delay and obstruct the *Awqaf* from carrying out restoration and maintenance works at AAM/HAS.

131. The Israeli authorities have refused the *Awqaf* access to the Bab Al-Rahmah building inside AAM/HAS since 2003 on the alleged basis that the building was being used by a terrorist organisation called the Heritage Association. On 10 March 2016<sup>138</sup> and 27 February 2017<sup>139</sup>, the *Awqaf* protested to the Israeli authorities, *inter alia*, that: (1) there had been no association at AAM/HAS named the Heritage Association since 2003; (2) there was no terrorist organisation at

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<sup>134</sup> Jordan Times, *Jordan condemns closure of Al Aqsa Mosque Friday* (19 August 2018)

<sup>135</sup> Jordan Times, *Jordan strongly condemns Israel's closure of Al Aqsa Mosque* (18 February 2019)

<sup>136</sup> *Note Verbale* from Jordan to Israel (26 July 2005)

<sup>137</sup> Daily Sabah, *Israeli minister demands to halt Al-Aqsa renovations* (14 April 2015)

<sup>138</sup> *Awqaf Protest Note* (10 March 2016)

<sup>139</sup> *Awqaf Protest Note* (27 February 2017)

AAM/HAS; and (3) it was unlawful for the Israeli authorities to interfere in the affairs of AAM/HAS by continuing to ban the *Awqaf* from carrying out restoration works at Bab Al-Rahmah.

132. On 23 July 2018, a large boulder dislodged from the ancient structures of AAM/HAS and fell onto the Buraq Plaza. The Israeli authorities denied the *Awqaf*'s efforts to examine the boulder and to fix the damage caused<sup>140</sup>. The Israeli authorities subsequently transferred the boulder to another site. Jordan and Palestine wrote to the UNESCO Director-General to protest this action on 5 September 2018<sup>141</sup>.

133. On 10 May 2022, the *Awqaf* issued a statement that it “*has appointed more than 70 guards since 2016, but measures and restrictions placed by the Israeli police on the ground constitute an obstacle that prevents the guards and employees from joining their work*”<sup>142</sup>.

134. In 2024, Israeli authorities continued to escalate their interference with the Islamic *Awqaf*'s ability to carry out essential restoration and maintenance works within AAM/HAS. Over the course of the year, 27 critical *Awqaf*-led projects were obstructed or indefinitely delayed by Israeli authorities. Among the blocked efforts were the renewal of the mosque's internal water network and urgently needed repairs to the silver dome of the Qibli Mosque. Israeli officials cited the absence of required permits as justification, despite the fact that such works fall fully under the jurisdiction and long-standing mandate of the Jordanian Jerusalem *Awqaf*.

135. Further undermining the *Awqaf*'s operational autonomy, Israeli police and security services imposed new procedural obstacles throughout the year. On 28 July 2024, the Head of the Imar Department was summoned by Israeli police and explicitly warned not to undertake any maintenance or construction activity without prior Israeli approval—threatening him with expulsion from the site. In late October, *Awqaf* cleaning staff were barred from accessing AAM/HAS through Al-Hadid Gate, and several mosque guards and employees were expelled from the premises for not wearing official *Awqaf*-issued vests. Re-entry was only permitted once they complied with this new and arbitrarily enforced intervention.

136. Throughout December 2024, further pressure was exerted through a campaign of summonses issued to *Awqaf* staff—including guards and restoration workers—by the Israeli internal security agency, the Shin Bet. These interrogation sessions reportedly included detailed

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<sup>140</sup> *Awqaf* Protest Note (5 September 2018)

<sup>141</sup> Jordanian-Palestinian Protest to UNESCO Director-General (5 September 2018)

<sup>142</sup> Ammon News, *Awqaf* Ministry says appointing Al Aqsa guards is within its mandate (10 May 2022)



questioning on salary structures and subtle attempts at recruitment, accompanied by offers of “open lines of communication.” Such tactics mark a dangerous intrusion into the internal affairs of the Awqaf and signal a broader strategy to destabilize the institution’s custodianship role.

137. These measures constitute an ongoing effort to undermine the Awqaf’s authority and operational capacity at AAM/HAS. By impeding vital repair and restoration work, while simultaneously targeting administrative personnel, Israeli authorities continue to erode the sanctity and sustainability of the site’s Islamic heritage and architecture, in flagrant violation of international norms governing the protection of religious sites under occupation.

#### **IV. Alterations**

138. The Israeli authorities have undertaken and/or facilitated and/or failed to prevent a consistent course of conduct calculated to alter the nature, integrity, status, function and purpose of the Holy Places and their environs.

##### **(A) Failure to Prevent Provocative Attempts to Lay a Foundation Stone for the “Third Temple”**

139. On 8 October 1990, Israeli soldiers carried out a significant attack upon a large group of Muslims (causing 22 fatalities) who had gathered to prevent an attempt to lay a “foundation stone” for the “Third Temple”, sparking very significant clashes. On 8 October 1990, the Permanent Observer of the Observer State of Palestine to the United Nations sent a letter to the UN Secretary-General, which provided as follows:

*“Today, 8 October 1990, Israel committed another act of genocide, resulting, until 0800 hours New York time, in the martyrdom of 22 unarmed civilian Palestinians and the wounding of almost 200 others. Israeli occupation troops are preventing the Palestinians from reaching hospitals to donate blood to the wounded.*

*Early in the morning it was learned that a group of Israelis had planned to enter the precinct of the Haram al-Sharif (the al-Aqsa Mosque) in Jerusalem and to lay therein the “Foundation Stone” for the erection of the “Third Temple”. As these Israelis approached the gates from the southern side, the people of Jerusalem were already in the area to prevent the aggression against one of the holiest of Moslem Sites. Members of the Israeli army, in uniform, opened fire with live ammunition*

*and gas canisters. Israeli troops opened fire from helicopters circling over the area.”*<sup>143</sup>.

140. Further attempts by the so-called “Temple Mount Faithful”<sup>144</sup> to enter and pray inside AAM/HAS were made in 1990<sup>145</sup>, following a ruling in 1988 by the Israeli Supreme Court ruled that groups such as the “Faithful of the Temple Mount”, which were widely considered to hold extremist views, were allowed to pray in the area around AAM/HAS<sup>146</sup>.

141. In July 2001, there was a further attempt by an extremist group to lay a “cornerstone” from a new “Temple” at AAM/HAS<sup>147</sup>.

142. Through the years 2003-2024, the treat of the laying “Third Temple Foundation Stone” transformed into another extreme settlers’ Jewish strategy, which is to gradually Judaize parts of AAM/HAS by increasing Jewish incursions/practices. Meanwhile, the extreme settlers kept on frequent incitement and provocation statements/advertisements for destroying AAM/HAS and building Jewish temple in its place.

### **(B) Construction Projects**

143. In December 1991, multiple loudspeakers were installed on the Al-Buraq Wall and oriented in the direction of AAM/HAS, in an act of provocation to Muslim worshippers whose ability to pray peacefully could be impaired by the use of such equipment<sup>148</sup>.

144. In 2008, the Western Wall Heritage Foundation presented plans for the expansion of “Beit Strauss”, an Israeli-constructed building on the northern edge of Al-Buraq Plaza. Those plans

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<sup>143</sup> Letter from Palestine to UN Secretary-General (8 October 1990)

<sup>144</sup> Today, the website of the “Temple Mount Faithful” includes amongst its “*Short Term Objectives*” “*To buy a house in the Old City (biblical Jerusalem) near the Temple Mount to establish a spiritual and educational center to be used by everyone. The four-ton cornerstone will be stored and exhibited on this site. This first stone of the Third Temple will soon be laid*”. It includes amongst its “*Long Term Objectives*” “*Liberating the Temple Mount from Arab (Islamic) occupation. The Dome of the Rock and the Al Aqsa mosque were placed on this Jewish or biblical holy site as a specific sign of Islamic conquest and domination. The Temple Mount can never be consecrated to the Name of G-d without removing these pagan shrines. It has been suggested that they be removed, transferred to, and rebuilt at Mecca*”

<sup>145</sup> Letter from Jordan to UNSC President (13 December 1990) | / Letter from Palestine to UN Secretary-General (14 December 1990)

<sup>146</sup> Letter from Jordan to UN Secretary-General (4 April 1988) conveying letter from Jordan’s Minister of Waqfs and Islamic Affairs (3 April 1988)

<sup>147</sup> Letter from Qatar to UN Secretary-General (30 July 2001)

<sup>148</sup> Letter from Jordan to UN Secretary-General (11 December 1991)

included confiscation of 360m<sup>2</sup> from the plaza to provide space for toilets, a police station, a “Jerusalem Traveller’s Hall” and other facilities<sup>149</sup>. Very extensive demolitions were carried out between 2013-2016 to facilitate the construction of Beit Strauss:



*Demolitions for the construction of Beit Strauss on Muslim Waqf real-estate, 2013-2016*

145. “Beit Haliba” is an enormous multipurpose centre being constructed by the Western Wall Heritage Foundation in the western part of the place where the historical Mughrabi Quarter used to stand. Covert excavations were carried out in the area by the Israeli Antiquities Authority

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<sup>149</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 10

between 2005 and 2009<sup>150</sup>. As a report by Emek Shaveh concluded, “*The fact that the area was authorized for the construction of a building that will change the skyline of the heart of the Old City was not taken into account during the archaeological excavations*”<sup>151</sup>. The excavations from building Beit HaLiba, its construction began in 2018, continued through 2023-2024 with many covert digging, tunnelling and removal of archaeological remains. Beit HaLiba has recently been open to security and tourism services of Jewish visitors and worshippers.



*Beit HaLiba Project at the site of the historic Magharbeh Quarter*

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<sup>150</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 12

<sup>151</sup> Emek Shaveh, “*Beit Haliba*” and the Givati Parking Lot: *Archeological Excavations and their Effect on the Status Quo in the Old City of Jerusalem and in Silwan* (2012), page 9

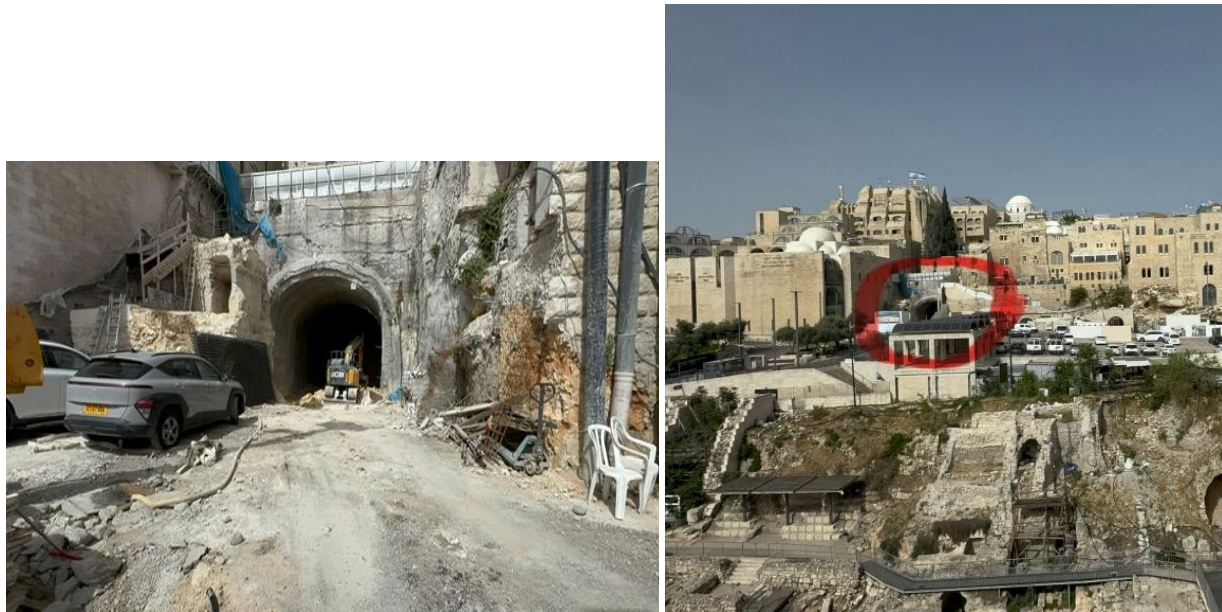




Excavations removing remains / foundations of the Moghrabi Quarter 2023 <sup>152</sup>

<sup>152</sup> <https://www.aljazeera.net/politics/2023/1/14/%D8%A2%D8%AB%D8%A7%D8%B1-%D8%AD%D8%A7%D8%B1%D8%A9-%D8%A7%D9%84%D9%85%D8%BA%D8%A7%D8%B1%D8%A8%D8%A9-%D8%A7%D9%84%D9%85%D9%87%D8%AF%D9%85%D8%A9-%D8%AA%D8%A3%D8%A8%D9%89>

146. In July 2020, as an example of their increasingly emboldened nature, the Israeli authorities revealed plans to construct an elevator and tunnels leading to the Al-Buraq Wall, an integral part of AAM/HAS, on a 2000m<sup>2</sup> area inside the Old City of Jerusalem<sup>153</sup>. Images from the site (see below) show at the excavations of the elevator tunnel continued through 2024.



Jewish Quarter elevator project tunneling in 2024

147. In 2018, Israel was planning (by 2021) to construct and operate a cable car system that would stretch 1.4 kilometers over the Old City of Jerusalem.

This illegal project will seriously damage the historical, cultural, religious and social fabric of the “Old City of Jerusalem and its Walls” and drastically alter the distinctive universal value character of the City. The illegal construction will start at the German Colony and end at the Mughrabi Gate, which is an integral part of AAM/HAS in the centre of the occupied Palestinian neighbourhood, Silwan.

The construction of this illegal city cable car constitutes a flagrant violation of the Hague Convention of 1954, for the Protection of the World Cultural Property in the event of Armed Conflict as well as to the Convention concerning the Protection of the World Cultural and Natural

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<sup>153</sup> Jordanian-Palestinian Protest to UNESCO Director-General (10 July 2020)

Heritage 1972, and all relevant UNESCO Executive Board and World Heritage Committee decisions and resolutions.

Jordan and Palestine wrote to the UNESCO Director-General to protest this action on multiple occasions including on 3 December 2018<sup>154</sup>, 27 February 2019<sup>155</sup> and 20 June 2022<sup>156</sup>. By way of example, Jordan and Palestine wrote in their 2019 Status Report submitted to UNESCO that:

*“The cable car project has been opposed by many international missions, experts, the Palestine State and the Jordanian Jerusalem Awqaf Directorate for the following reasons:*

- 1. It will change the skyline and visual sight view of Jerusalem Old City and its surroundings from the south and the east.*
- 2. The cable car baskets, planned to carry thousands of tourists and visitors to Jerusalem, require planting large number of massive columns over and on the account of very important historic remains.*
- 3. Most of the massive columns will be planted in Waqf properties and the Jordanian Jerusalem Awqaf demands the IOA to stop aggressions against its land, real estate and properties.*
- 4. The cable car system passes over holy places and cemeteries; the desecration of these holy places is widely protested by the religious people.*
- 5. The Old City of Jerusalem is a World Heritage Site and such major project has to be consulted and approved by UNESCO.*
- 6. Previous Status Reports recounted the plans to construct a cable car over the last two years. The latest 2017 approval was intended to facilitate the original plan by dividing it into phases. The new plan no longer includes a stop at the Mount of Olives; Silwan will be the cable car’s last stop. The assumption is that in the future the government will try to realize the original plan and extend the cable car to the Mount of Olives.*

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<sup>154</sup> Jordanian-Palestinian Protest to UNESCO Director-General (3 December 2018)

<sup>155</sup> Jordanian-Palestinian Protest to UNESCO Director-General (27 February 2019)

<sup>156</sup> Jordanian-Palestinian Protest to UNESCO Director-General (20 June 2022)



*8. Jordan and State of Palestine has protested the project in principle because it obstructs peace opportunities since the cable car system connects West Jerusalem with Occupied East Jerusalem, recognized by the international community and the UN as the capital of the future Palestine State”<sup>157</sup>.*

PHOTOS to show plan damage

148. The cable car project was approved by the Israeli authorities in November 2019<sup>158</sup>, and a legal challenge against it was reportedly dismissed by Israel’s High Court in May 2022<sup>159</sup>. See also Chapter 4, Section III for a detailed account of the Jerusalem Cable Car Project and its implications, including key developments and expansions reported in 2024.

**(C) Misleading Use of Official Signage**

149. As mentioned above, the Israeli authorities have installed signage designating Ribat Al-Kurd as the “Small Wailing Wall”, as part of the ongoing alteration/Judaization of the environs of AAM/HAS<sup>160</sup>.

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<sup>157</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), pages 136-137

<sup>158</sup> BBC News, *Jerusalem: Israel approves controversial Old City cable car plan* (6 November 2019)

<sup>159</sup> Emek Shaveh, *Alert - High Court Green Lights Jerusalem Cable Car Plan Condemning Historic City to Irreversible Damage* (6 June 2022)

<sup>160</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 10



Ribat Al-Kurd, 2013-2016

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PHOTO of Ribat al-Kurd, Former MK extremist Yehuda Glick guiding Jewish tourists / worshippers, 2024

<sup>161</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 10

<sup>162</sup> <https://i1.wp.com/www.pbc.ps/wp-content/uploads/2021/04/photo-2021-04-28-18-35-49-1619631815.jpg?fit=972%2C558&ssl=1>



Converting Ribat Al-Kurd into a Jewish prayer place so-claimed little Western Wall 2024

150. On 11 February 2015, the Jerusalem Municipality hung a sign reading “Temple Mount” outside the Al-Nather Gate/Bab Al-Majlis at AAM/HAS. This marked the first attempt to overtly redesignate AAM/HAS by way of signage in its environs. Although the sign was initially removed by the Palestinian population, it was put up again. It remains there today, and has a police presence in addition to surveillance cameras added nearby<sup>163</sup>.

#### (D) Misleading Use of Official Tourist Maps

151. In June October 2016, Israel’s Tourism Ministry published an official map which referred to AAM/HAS only as the “Temple Mount”. The Tourism Ministry was forced to amend this after protests<sup>164</sup>.

<sup>163</sup> Qudsnet News Agency, *Occupation places a sign near Al-Aqsa bearing the name Temple Mount* (11 February 2015)

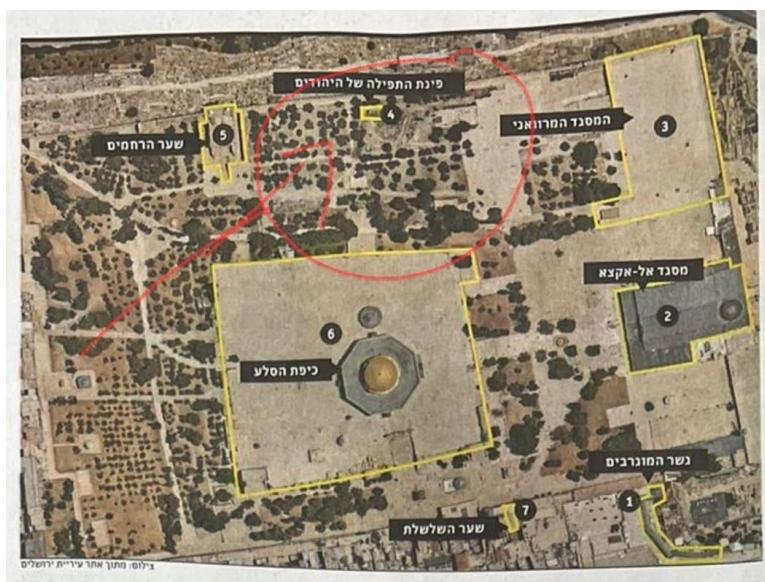
<sup>164</sup> Al Jazeera, *Israel removes key sites from Jerusalem’s Old City Map* (12 June 2016) | / Haaretz, *Israel Corrects Jerusalem Tourism Map That Omitted Al-Aqsa Mosque, non-Jewish Sites* (6 October 2016) / Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (28 April 2017), page 70 / Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 125 / Al Jazeera, *Israeli tourism maps aim to shape Jerusalem narrative* (28 December 2016)





A tourist map of Jerusalem omitting key non-Jewish sites. Credit: Olivier Fitoussi

152. In 2023, Israeli Jerusalem municipality issued an aerial image of AAM/HAS on its website, in which an area located at the eastern part of Al-Aqsa (under number 4) is annotated as “the prayer corner for Jews”.



### (E) Confiscations / Land seizures

153. The Tankaziyyah School in AAM/HAS was confiscated by the Israeli authorities in 1967. Part of it is now used as an Israeli police station. Between 2013 and 2014, the Israeli authorities converted parts of its main hall into a synagogue<sup>165</sup>. It has recently been used both as a synagogue and a police station.

<sup>165</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 25

154. The Nabi Daud Mosque has been subjected to repeated attacks and vandalism, including the smashing and removal of Ottoman and Mamluk-era decorative tiles. Jewish symbols and religious materials have been deployed at Nabi Daud Mosque in an effort to alter its character and function. The surroundings of the Cenacle and the ground floor (the Nabi Daud Mosque) have been converted into a synagogue<sup>166</sup>. Nabi Daud Mosque's *Mihrab* was hidden behind bookshelves. Star of David, has been installed throughout the Nabi Daud Mosque and the Cenacle. As an April 2014 report by Emek Shaveh<sup>167</sup> concluded, *"Since David's Tomb is not located in the heart of a political conflict ... one might expect Israel to uphold its obligation to protect the structure from vandalism by extreme elements. Despite this, the authorities have failed in fulfilling this mission, and the sense is that the situation that has arisen is convenient for the government, or at least, the authorities have come to terms with the damage to the site"*<sup>168</sup>.

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<sup>166</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), pages 27-29 / Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (28 April 2017), page 78 / Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (16 March 2015), page 31 / Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 140

<sup>167</sup> Emek Shaveh is an Israeli NGO which works *"to defend cultural heritage rights and to protect ancient sites as public assets that belong to members of all communities, faiths and peoples"* and which objects *"to the fact that the ruins of the past have become a political tool in the Israeli-Palestinian conflict and work to challenge those who use archaeological sites to dispossess disenfranchised communities"* (<https://emekshaveh.org/en/about-us/>)

<sup>168</sup> Emek Shaveh, *David's Tomb on Mt. Zion* (April 2014), page 16

Mihrab (Niche): upper plaza of the Mosque



Jewish vandals remove old Islamic design ceramic to change identity of the Mosque indoor and outdoor, 2013-2015

Mihrab of the Mosque hidden behind bookshelves of alleged synagogue



Installing Jewish symbols are major steps to Judaize the Nabi Dawood Mosque and the Jesus Last Supper Room at the compound



169, 170

<sup>169</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 142

<sup>170</sup> Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (15 April 2019), page 143

**V. Aggressive and Provocative Actions and Incursions (and/or Inability or Unwillingness to Take Effective Measures to Protect the Holy Places and Worshippers)**

155. On 7 June 1967, Israel's Defence Minister, Moshe Dayan, gave a statement at the Western Wall, evincing an intention to occupy Jerusalem permanently but not to interfere in others' holy places, as follows:

*"This morning, the Israel Defence Forces liberated Jerusalem. We have united Jerusalem, the divided capital of Israel. We have returned to the holiest of our Holy Places, never to part from it again.*

*To our Arab neighbours we extend, also at this hour – and with added emphasis at this hour – our hand in peace. And to our Christian and Muslim fellow citizens, we solemnly promise full religious freedom and rights. We did not come to Jerusalem for the sake of other peoples' Holy Places, and not to interfere with the adherents of other faiths, but in order to safeguard its entirety, and to live there together with others, in unity"*<sup>171</sup>.

156. If this was meant as an assurance that the *Status Quo* would be preserved<sup>172</sup>, events taking place simultaneously demonstrated otherwise – not least the destruction of the Mughrabi Quarter to allow for the expansion of Jewish prayer space in front of the Western Wall.

157. Also on 7 June 1967, Israel's Prime Minister, Levi Eshkol, gave an address to community leaders in Jerusalem indicating Israel's plans were already to bring control of administrative arrangements in respect of Al-Buraq Wall under Israeli purview:

*"You may rest assured that no harm whatsoever shall come to the places sacred to all religions. I have requested the Minister of Religious Affairs to get in touch*

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<sup>171</sup> Statement by Israel's Defence Minister at the Western Wall (7 June 1967)

<sup>172</sup> Moshe Dayan also held a meeting on 17 June 1967 with members of the Higher Muslim Council and, as it was described in a 2013 Ir Amim/Keshev report, "agreed that IDF soldiers would vacate the Mount area and deploy around it, allowing internal supervision to remain under the purview of the Waqf and designating authority for external security to Israel's security forces. The interdiction against Jewish prayer on the Mount was accepted by a ministerial committee for the protection of holy sites and was tacitly indicated by halting Rabbi Goren's activity on the Mount and ordering security forces to evict Jewish worshipers attempting to pray on the Mount. This arrangement satisfied both the Waqf and the Orthodox Rabbinate. The "constructive ambiguity" that enabled the status quo of 1967 has now become an opening for disrupting the arrangement developed at that time" (Ir Amim and Keshev, *Dangerous Liaison: The Dynamics of the Rise of the Temple Movements and Their Implications* (1 March 2013), page 12)



*with the religious leaders in the Old City in order to ensure regular contact between them and our forces, so as to make certain that the former may continue their spiritual activities unhindered.*

*Following upon my request, the Minister of Religious Affairs has issued the following instructions:*

*a) arrangements in connection with the Western Wall shall be determined by the Chief Rabbis of Israel;*

*b) arrangements in connection with the Moslem Holy Places shall be made by a council of Moslem clerics;*

*c) arrangements connected with the Christian Holy Places shall be made by a council of Christian clergy”<sup>173</sup>.*

158. On 27 June 1967, in a manner that can be seen as recognition of its duty as an Occupying Power in respect of the Holy Places in the Occupied Territory, the Knesset passed the Protection of Holy Places Law 1967, which provided, *inter alia*, that:

*“1. The Holy Places shall be protected from desecration and any other violation and from anything likely to violate the freedom of access of the members of the different religions to the places sacred to them or their feelings with regard to those places”<sup>174</sup>.*

159. The Protection of Holy Places Law purported to provide for freedom of access and protection from desecration and violation. Over the decades, the Israeli occupation authorities have restricted access (if not denied), desecrated the Holy Places and subjected them to incremental alterations, as well as destruction.

160. On 15 August 1967, in what can only be seen as an act of deliberate provocation, Rabbi Shlomo Goren, the IDF Chief Rabbi, led a contingent of IDF soldiers through the Mughrabi Gate and prayed inside AAM/HAS<sup>175</sup>. This visit caused strong protests from Palestinians and from

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<sup>173</sup> Address given by Israel’s Prime Minister to community leaders in Jerusalem (7 June 1967)

<sup>174</sup> Protection of Holy Places Law 1967

<sup>175</sup> Rabbi Goren had previously held the first Jewish prayer session at the Western Wall following the occupation. On 7 June 1967, surrounded by IDF soldiers, he blew the *shofar* (a Jewish religious prayer instrument) and led soldiers in prayer at the Western Wall. He subsequently became the third Ashkenazic Chief Rabbi of Israel. He reportedly gave a speech, broadcast on Israeli army radio in 1997, in which he said of AAM/HAS “*Certainly we should have*

Jordan. On this occasion, consistent with the *Status Quo*, the Israeli authorities restricted Jewish prayer to the Western Wall, and not inside AAM/HAS<sup>176</sup>. The Jordanian Mayor of Jerusalem submitted a memorandum to the Personal Representative of the UN Secretary-General on 26 August 1967, giving an account of measures taken by Israel immediately after the beginning of its occupation, in which he reported:

*“The Chief Rabbi of the Israel Army, Brigadier Goren, with his escort and other Jews, on 15 August 1967 mounted to the Dome of the Rock with liturgical vestments and prayer-books. They conducted a prayer lasting two hours within the confines of the Mosque of Omar, thus infringing the inviolability of a Holy Place venerated by all Islam”*<sup>177</sup>.

161. Nevertheless, Israeli measures against AAM/HAS include purported judicial measures. On 28 January 1976, Judge Ruth Orr, an Israeli magistrate, issued a ruling that Jews had a right to pray inside AAM/HAS<sup>178</sup>.

162. On multiple occasions in 1982, armed attacks were carried out by Jews against AAM/HAS, including on 12 April 1982 when an Israeli soldier killed 2 *Awqaf* guards and opened fire on the Dome of the Rock<sup>179</sup>. That incident provoked clashes that left 9 dead and 136 wounded<sup>180</sup>.

163. Increasingly concerned and frustrated at the ongoing violations at AAM/HAS, on 14 March 1983, the Permanent Representative of Jordan to the United Nations summarised and sent to the UN Secretary-General “a brief account of the Israeli assaults on the blessed Al-Aqsa Mosque in Jerusalem from June 1967 to 11 March 1983, when the series of Israeli assaults on the Islamic

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*blown it up. It is a tragedy that we did not do so”* (MER, *Israel’s Chief Rabbi – “Blow Up The Dome of the Rock”* (1 January 1998))

<sup>176</sup> The New Yorker, *Forcing the End* (20 July 1998)

<sup>177</sup> Memorandum concerning the measures taken by Israel with respect to the City of Jerusalem, submitted by Mr. Rauhi El-Khatib on 26 August 1967

<sup>178</sup> Letter from Libya to UNSC President (1 March 1976) conveying a report from the PLO / Letter from Libya and Pakistan to UNSC President (19 March 1976)

<sup>179</sup> The perpetrator, Alan Harry Goodman, was born in the USA and had emigrated to Israel 2 years previously. He was sentenced to life imprisonment on 8 April 1983. He served just 15.5 years in an Israeli prison before being released and deported to the USA on 26 October 1997 (New York Times, *Soldier Gets Life Term In Dome of Rock Death* (8 April 1983) / The Baltimore Sun, *Israel releases Baltimorean who killed at mosque* (27 October 1997))

<sup>180</sup> Letter from Jordan to UN Secretary-General (14 March 1983)

*Holy Places reached its peak with Israel's commission of an act of desecration against the sacred Haram al-Sharif". The attached account provided as follows:*

*"Israeli assaults on the sacred Haram al-Sharif from June 1967 to March 1983*

*The Israeli conspiracy against the sacred Haram al-Sharif of the Al-Aqsa Mosque and the Dome of the Rock, aimed at the destruction of the complex and the establishment of the Temple on its ruins, began during the latter part of 1967, less than one week after the occupation of the City.*

*The following are the most conspicuous assaults to which the Haram al-Sharif has been exposed to since the Israeli occupation in June 1967.*

*I. FIRE*

*The crime of setting fire to the blessed Al-Aqsa Mosque was the first of the conspicuous attempts to destroy and demolish this Islamic Holy Place. It occurred on 21 August 1969, when a Zionist, of Australian nationality, Michael Rohan, started a fire in the Mosque, which resulted in the burning of the Saladin mimbar in its entirety and of the south-eastern part of the roof of the Mosque. The occupation authorities merely arrested the criminal, submitted him to a nominal trial, in the course of which they claimed that he was insane, and acquitted and released him.*

*II. EXCAVATIONS*

*Excavations have been carried out around and under the Al-Aqsa Mosque from both the west and the south in order to obtain possession of and destroy the Haram al-Sharif and to construct the Temple on the site where the Al-Aqsa Mosque and the Dome of the Rock stand.*

*The Israeli excavations around the Al-Aqsa Mosque began in late 1967 and have continued up to the present, in nine stages, the most recent being the stage of the tunnel running from beneath the Buraq Wall to beneath the Dome of the Rock and extending to the sacred Haram al-Sharif. The Department of Islamic Awkaf discovered the excavations in the tunnel accidentally on 17 August 1981, and they closed the tunnel on 2 September 1981, after extensive clashes between Muslim workers and technicians and Jewish extremists. For further details and updates from 2024 concerning excavations, tunneling activities, and broader Judaization projects around Al-Aqsa Mosque / Al-Haram Al-Sharif, see Chapter Four.*

### *III. REPEATED ATTEMPTS TO PRAY IN THE AL-AQSA MOSQUE*

*Israeli attempts to break into the Al-Aqsa Mosque and its external courtyards began on the pretext of conducting early-morning prayers. Less than three days after the fire in the Al-Aqsa Mosque, which occurred on 18 August 1969. The most conspicuous was the attempt to blow up the Dome of the Rock made by Rabbi Meir Kahane in May 1980. On 11 May 1980, the Israeli security forces discovered a cache of explosives near the Al-Aqsa Mosque prepared by Meir Kahane and his group.*

*Since that time, Kahane has been announcing his determination to blow up the Al-Aqsa Mosque. For example, there is his unambiguous statement in the interview conducted by the Israeli newspaper Yedioth Ahaenoth and published on 21 January, in which he said that he would not rest until he succeeded in blowing up the Al-Aqsa Mosque.*

### *IV. ARMED INTRUSION AND SHOOTING OF MUSLIMS*

*Indicative of the attempts to break into and blow up the Al-Aqsa Mosque was the break-in effected by the Israeli soldier Eli Gothman on 11 April 1982. He succeeded in reaching and entering the Dome of the Rock, after firing at the Mosque guards and killing two of them. This break-in resulted in the firing of a large number of shots at the Dome of the Rock and its walls and great material losses in the Mosque. The clashes that took place between Muslims and Jews left nine martyrs and 136 wounded.*

### *V. THE MOST RECENT ATTEMPT TO BLOW UP THE AL-AQSA MOSQUE*

*The last of the attempts to penetrate the Haram al-Sharif was that which took place on 11 March 1983 and which was carried out by approximately 45 settlers belonging to the racist extremist Kach movement, most of them living in Qiryat Arba near Hebron. They intended to reach the Al-Aqsa Mosque through a secret tunnel not yet uncovered by excavation and were equipped with large amounts of weapons and explosives for the purpose of blowing up the Al-Aqsa Mosque and establishing a Jewish settlement on its ruins. However, the attempt failed, and the members of the group were arrested. They confessed that the operation had been planned by Jewish religious leaders, including Meir Kahane, Moshe Levinger and Israel Ariel,*

*and that the leaders had held meetings at Qiryat Arba with the members of this group that had been entrusted with the task of blowing up the Al-Aqsa Mosque*<sup>181</sup>.

*A quick count of the attempts made so far to break into the Al-Aqsa Mosque and penetrate its courtyards, and of the statements in which extremists among Jewish religious leaders announce their resolve to continue the endeavour to blow up the Al-Aqsa Mosque and establish the Temple on its ruins gives an indication of the truth regarding Jewish designs on this Mosque and the other Islamic and Christian Holy Places in Jerusalem and the various parts of the West Bank. The instance of the attempt to explode a bomb in the Qazzazin Mosque at Hebron a few days ago is but a further indication of the degree of gravity that the situation in the occupied territories has reached and the seriousness of the dangers that threaten the citizens and the Arab and Islamic cultural presence in the occupied territories”*<sup>182</sup>.

164. This enduring agenda has continued into 2024, with extremist Temple movement ideology gaining unprecedented traction within Israel’s ruling political establishment. The alliance between the Israeli government and the extremist Temple organizations has become increasingly overt, with senior Israeli politicians actively advancing efforts to alter the religious and political status quo at Al-Aqsa Mosque / Al-Haram Al-Sharif.

165. At the forefront of this shift is Israel’s Minister of National Security, Itamar Ben-Gvir, whose rhetoric and policies reflect a clear ideological alignment with the goals of Temple movement activists. In April 2024, Ben-Gvir’s ministry released an official work plan which, for the first time, outlined explicit goals to increase governance over the “Temple Mount,” enable Jewish prayer within the compound, and intensify police presence to support these changes. These measures marked a profound departure from previously maintained state policies, and provoked widespread concern and condemnation.

166. Ben-Gvir’s support for Temple groups has extended far beyond policy documents. On 2 June 2024, he participated in a Knesset session convened by the Union of Temple Organizations, aimed at promoting what was described as a return to the Temple Mount. Later, on 24 July 2024, at a Knesset conference titled “*Israel’s Return to the Temple Mount*,” Ben-Gvir declared: “I am

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<sup>181</sup> Although the arrests were carried out by the Israeli police, the existence of the conspiracy and the presence of the explosives was uncovered only through the efforts of the *Awqaf*

<sup>182</sup> Letter from Jordan to UN Secretary-General (14 March 1983)

the political echelon, and the political echelon permits prayer on the Temple Mount.” Days earlier, during the Jerusalem Day march on 5 June, he publicly proclaimed: “The Temple Mount is ours.” In an August 2024 interview with Army Radio, Ben-Gvir reiterated his position by advocating not only for Jewish prayer at the site but for the construction of a synagogue within the compound—an act that would constitute a systematic alteration of the site’s identity and status.

167. Ben-Gvir also led several high-profile incursions into AAM/HAS in 2024, including on 13 August during the Jewish fast of Tisha B’Av, when he entered the mosque compound accompanied by over 1,500 settlers. He returned again on 26 December, during Hanukkah, marking his fourth incursion since the outbreak of war in October 2023. These visits, highly publicized and executed under heavy police protection, were widely interpreted as attempts to symbolically assert Israeli sovereignty over the site.

168. The momentum of this movement was further underscored on 20 October 2024, when a replica of the Ark of the Covenant was unveiled at a public event in Jerusalem. The ceremony, attended by members of the Knesset and senior Temple movement leaders, represented a symbolic affirmation of their broader agenda. MK Ohad Tal described the display as part of “restoring Jewish unity”—a phrase echoing Temple movement ideology. The replica had previously toured the United States, including a stop at the residence of former U.S. President Donald Trump, highlighting the transnational character of this campaign and its cultivation of political support beyond Israel.

169. On 9 April 2024, a Torah scroll dedicated to the “Third Temple” was completed in a public ceremony featuring several government ministers and Knesset members. Minister Yitzhak Wasserlauf remarked, “Ten years ago, I started going up to the Temple Mount—we were lonely then. Today we see a transformation... the people want to go up... we will build the Temple.” MK Amit Halevi echoed this sentiment, stating: “We are approaching the deepest point of the Temple Mount,” suggesting a shift from rhetorical advocacy to active political commitment.

170. This rising influence of Temple activism has also been institutionalized through government structures. Under the Israeli Heritage Ministry—controlled by Ben-Gvir’s Otzma Yehudit party—plans were announced to initiate guided tours at Al-Aqsa that would promote a narrative focused on Jewish religious heritage at the site. In parallel, MK Yitzhak Pindrus openly expressed his aspiration to see the Third Temple constructed on the grounds of AAM/HAS. The



Temple Institute and similar organizations have continued their preparations, designing architectural blueprints and ritual instruments for a future Jewish temple.

171. Taken together, these actions reflect an unprecedented convergence of religious ideology, political will, and strategic planning. The growing alignment between Israel's political leadership and Temple movement activists represents a dangerous escalation, with profound implications not only for the future of Al-Aqsa, but for stability in Jerusalem and across the region. This shift signals a departure from the previously observed status quo and moves toward institutional support for changing the religious and physical character of one of the world's most contested sacred sites.

172. In January 1986, Ariel Sharon (then Israel's Industry Minister), and a large group of members of the Israeli Knesset intruded into AAM/HAS, provoking clashes which led to a large number of Israeli police storming AAM/HAS and attacking Muslim worshippers and *Awqaf* guards<sup>183</sup>.

173. By September 2000, Mr. Sharon was the leader of the Likud Party (in opposition). Mr. Sharon was an extremely controversial figure for the Palestinians. He had been removed as Israel's Defence Minister after an official enquiry found that he bore "*personal responsibility*" for the Sabra and Shatila massacre in 1982<sup>184</sup>. On 28 September 2000, in what was suggested to have been a move to cynically boost his election prospects, Mr. Sharon spearheaded a huge incursion of AAM/HAS accompanied by a large contingent of Israeli military and police. There was an attempt to raise the Israeli flag over AAM/HAS, which was thwarted on that occasion by *Awqaf* guards. Mr. Sharon's actions were plainly deliberate and extremely provocative. They are widely considered to have sparked the "second intifada", a large uprising by the Palestinians against Israel as the Occupying Power, during which there were thousands of fatalities. On 29 September 2000, the Permanent Observer of Palestine to the United Nations wrote to the UN Secretary-General as follows:

*"Yesterday, 28 September 2000, a member of the Israeli parliament and the leader of the Likud Party, Mr. Ariel Sharon, led a group in a dangerous and provocative visit to Al-Haram Al-*

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<sup>183</sup> Letter from Jordan to UN Secretary-General (9 January 1986) / Letter from United Arab Emirates to UN Secretary-General conveying a letter from the Permanent Observer of the PLO (10 January 1986) / Letter from Morocco to UN Secretary-General conveying OIC resolution (23 January 1986) / Letter from Morocco to UN Secretary-General (27 January 1986)

<sup>184</sup> In which up to 3500 civilians were killed by militia who had been ordered by the Israeli Defence Forces to clear the Palestine Liberation Organisation out of the Sabra neighbourhood and adjacent Shatila refugee camp in West Beirut

*Sharif in Occupied East Jerusalem. The purpose of this visit, according to Mr. Sharon, was to emphasize illegal Israeli sovereignty over the place. Hundreds of members of the Israeli security forces accompanied Mr. Sharon, which further aggravated tensions, leading to clashes between Palestinian civilians and Israeli security forces, both in Al-Haram Al-Sharif and the rest of East Jerusalem.*

*Today, 29 September 2000, and following Friday worship, Israeli security forces stormed Al-Haram Al-Sharif using rubber bullets and live ammunition against the worshippers, killing five Palestinian civilians and injuring about 200 others. An Israeli police chief admitted that snipers were also deployed and that they fired live rounds, making the death of civilians the result of wilful killing. Clashes and further Israeli repression against Palestinian civilians later spread to other places including the rest of East Jerusalem, Bethlehem, Ramallah and Gaza.”<sup>185</sup>*

174. Mr. Sharon’s actions received international condemnation, and the UN Security Council, passing UNSCR 1322 (2000) labelled it a “*provocation*” that it deplored<sup>186</sup>. Nevertheless, Mr. Sharon was, indeed, elected Israel’s Prime Minister during the 2001 prime ministerial elections (with a majority of 62% to incumbent Ehud Barak’s 38%).

175. On 27 September 2009, more than 150 Jewish extremists entered AAM/HAS in the presence of the Israeli police, leading to clashes with Muslim worshippers. Using tear gas, rubber-coated steel bullets and police batons, Israeli occupation forces injured 40 Palestinian civilians and made 5 arrests. Among those injured were 73-year-old Mohamad Al-Julani, who was shot in the eye<sup>187</sup>.

176. On 25 October 2009, after a call from extremist Israeli religious group “Eretz Israel Shelanu” for its followers “*to properly arise to the Temple Mount*”, Palestinian civilians gathered to protect AAM/HAS. Israeli occupation forces stormed AAM/HAS and opened fire with rubber-coated steel bullets, tear gas and stun grenades against Palestinian worshippers, injuring 30

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<sup>185</sup> Letter from Palestine to UN Secretary-General (29 September 2000). See also Letter from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to UN Secretary-General (2 October 2000)

<sup>186</sup> UNSCR 1322 (2000)

<sup>187</sup> Letter from Palestine to UN Secretary-General and UNSC President (28 September 2009) / Report of the UN High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1 (17 March 2010)] / Al Jazeera, *Palestinians injured in Aqsa clash* (27 September 2009)

civilians, and made 20 arrests. A number of Knesset members and radical rabbis (including Moshe Feiglin, Hillel Weiss, Yehuda Glick and Dov Lior) held an event calling for Jews to take control over AAM/HAS<sup>188</sup>.

177. On 5 March 2010, Israeli occupation forces stormed AAM/HAS during Friday prayers and fired rubber-coated bullets, tear gas and stun grenades at Muslim worshippers, leading to clashes at AAM/HAS and elsewhere in the Old City<sup>189</sup>. The Israeli authorities no doubt will invoke as justification the need to address potential or actual violence. Nevertheless, as can be seen, most of the Israeli incursions by force have taken place on the holiest of days for Muslims (Friday) when the congregations gathers to its maximum extent – not for protest but for peaceful prayer. The fact that protest ensues, and tragically turns violent on occasion, is perhaps unsurprising given the (deliberately or otherwise) provocative presence of heavily armed Israeli occupation forces.

178. On 24 February 2012, in response to repeated declarations that there would be attempts by Jewish extremists to enter AAM/HAS, Palestinian worshippers began a protest demonstration. Israeli occupation forces stormed AAM/HAS during Friday noon prayers and opened fire on the protesters with rubber bullets, tear gas, sound bombs and stun grenades, injuring 30 people, and made at least 13 arrests<sup>190</sup>.

179. As discussed above, on 4 September 2013, on the eve of the Jewish New Year, around 40 Jewish extremists entered AAM/HAS, leading to protests by Palestinian worshippers. Israeli occupation forces attacked Palestinian worshippers using pepper spray, and injured 3 people. AAM/HAS was closed for Muslim worshippers under the age of 50.

180. On 9 September 2013, Sheikh Azzam al-Khatib, Director of the Jerusalem Waqf and Al-Aqsa Affairs, reported that 150 Jewish extremists had entered the compound in the presence of the Israeli police<sup>191</sup>.

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<sup>188</sup> The Guardian, *Palestinians clash with Israeli troops at al-Aqsa mosque in Jerusalem* (25 October 2009) / Global Issues, *MIDEAST: Muslims See Victory at Al-Aqsa* (11 October 2009) / Letter from Palestine to UN Secretary-General (26 October 2009)

<sup>189</sup> Letter from Palestine to UN Secretary-General and UNSC President (5 March 2010)

<sup>190</sup> Letter from Palestine to UN Secretary-General and UNSC President (24 February 2012)

<sup>191</sup> Letter from Palestine to UN Secretary-General and UNSC President (20 September 2013)

181. On 19 February 2014, MK Moshe Feiglin, the Deputy Speaker of the Israeli Knesset, entered AAM/HAS under heavily military escort and was reported to have declared “*Al Aqsa Mosque belongs to the Jews*”<sup>192</sup>.

182. On 25 February 2014, Israeli occupation forces stormed AAM/HAS and attacked Palestinian worshippers with rubber-coated steel bullets and tear gas canisters, making several arrests (no doubt to justify their actions)<sup>193</sup>.

183. On 7 April 2014, MK Moshe Feiglin, in the presence of the Israeli police, once more entered AAM/HAS, together with more than 50 Jewish extremists. Muslim worshippers were prevented from entering AAM/HAS for the period when Mr. Feiglin and his followers were inside<sup>194</sup>.

184. On 16 April 2014, Israeli occupation forces deployed the steel ramp that had replaced the centuries-old Al-Mughrabi Gate to enable more than 1000 armed Israeli occupation forces, including “*border police*”, “*special units*” and snipers, to enter AAM/HAS, leading to clashes with Muslim worshippers. Thereafter, Israeli occupation forces were deployed at all AAM/HAS gates and Palestinian men under the age of 50 were denied entry<sup>195</sup>.

185. On 13 October 2014, MK Moshe Feiglin once again entered AAM/HAS accompanied by the Israeli military and police. Clashes with Palestinian worshippers resulted, during the course of which the Israeli military fired stun grenades inside AAM/HAS, causing physical damage<sup>196</sup>.

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<sup>192</sup> Ammon News, *Right-wing Israeli MK enters Aqsa compound* (19 February 2014). Mr. Feiglin is widely considered to hold dangerous extremist views. He was banned from entering the United Kingdom by a decision of the UK Home Secretary in 2008 on the grounds that his presence “*would not be conducive to the public good*” based on her assessment that Mr. Feiglin’s activities “*foment or justify terrorist violence in furtherance of particular beliefs; seek to provoke others to terrorist acts; foment other serious criminal activity or seek to provoke others to serious criminal acts; and foster hatred, which might lead to inter-community violence in the UK*” (Haaretz, *Britain Bans Likud’s Moshe Feiglin From Entering Country* (11 March 2008)). In 2013, Israel’s Attorney General banned Mr. Feiglin from going to AAM/HAS because his visit “*may potentially risk Israel’s security*” (The Times of Israel, *Likud lawmaker banned from ascending Temple Mount* (29 April 2013)). In 2015, 11 Jewish and Zionist organisations in Australia issued a public statement ahead of Mr. Feiglin’s visit to Australia that “*Moshe Feiglin’s views on women, homosexuality and Palestinian citizens of Israel are inconsistent with Jewish values*” (New Israel Fund Australia, *Statement on Moshe Feiglin’s Visit to Australia* (9 October 2015)).

<sup>193</sup> Letter from Palestine to UN Secretary-General and UNSC President (25 February 2014)

<sup>194</sup> See the dynamic timeline at <https://www.aljazeera.com/news/2017/7/27/timeline-al-aqsa-mosque> / Letter from Palestine to UN Secretary-General and UNSC President (9 April 2014)

<sup>195</sup> Letter from Palestine to UN Secretary-General and UNSC President (16 April 2014)

<sup>196</sup> Letter from Palestine to UN Secretary-General and UNSC President (14 October 2014)

186. On 23 March 2015, more than 120 Jewish extremists attempted to perform Talmudic rituals inside AAM/HAS<sup>197</sup>.

187. Throughout March, April, May and June 2015, Jewish extremists in both small and large groups entered AAM/HAS in the presence of the Israeli military and police on a near-daily basis. It was reported on 8 April 2015 that more than 1400 Jews and 120 Israeli soldiers entered AAM/HAS just in March 2015 alone, whilst 42 Palestinians were issued bans from entering AAM/HAS. On such visits, Palestinian worshippers inside AAM/HAS are often attacked when they protest.

188. On 13 September 2015, Uri Ariel, now as Israel's Minister of Agriculture, and more than 30 Jewish extremists, entered AAM/HAS under heavy Israeli military escort<sup>198</sup>.

189. Throughout November and December 2015, heavily armed Israeli police escorted Jewish extremists inside AAM/HAS<sup>199</sup>. The photographs below were enclosed with the *Awqaf's* protest note to the Israeli police dated 19 December 2015:



انتهاك : دخول القوات الخاصة الى باحات المسجد الأقصى - الحرم الشريف - مدججين بالسلاح  
المكان : بالقرب من باب المغاربة وفي ساحة الجامع القبلي ومرافقتهم للمتطرفين  
التاريخ : 8/12/2015 الساعة : 8:51  
أرشيف انتهاكات - دائرة أوقاف القدس وشؤون المسجد الأقصى



انتهاك : دخول القوات الخاصة الى باحات المسجد الأقصى - الحرم الشريف - مدججين بالسلاح  
المكان : بالقرب من باب المغاربة وفي ساحة الجامع القبلي ومرافقتهم للمتطرفين  
التاريخ : 14/12/2015 الساعة : 9:32  
أرشيف انتهاكات - دائرة أوقاف القدس وشؤون المسجد الأقصى

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 19 December 2015<sup>200</sup>. An English description of the photograph is “*Violation: Incursion of armed Israeli special forces, escorting extremists, into the plazas of Al-Aqsa Mosque / Al-Haram Al-Sharif.*

<sup>197</sup> Al Manar, *Dozens of Israeli Settlers Storm Al-Aqsa Compound* (23 March 2015)

<sup>198</sup> Letter from Palestine to UN Secretary-General and UNSC President (14 September 2015)

<sup>199</sup> Awqaf Protest Note (19 December 2015)

*Location: In the plaza of the Qibli Mosque near the Magharbeh Gate. Date: 8:51am 8Dec2015. Source: Violations archive of Jerusalem Awqaf and al-Aqsa Mosque Affairs”)*

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 19 December 2015<sup>201</sup>. An English description of the photograph is “*Violation: Incursion of armed Israeli special forces into the plazas of Al-Aqsa Mosque / Al-Haram Al-Sharif. Location: Near Al-Qattaneen Gate at the stairway ascending to the Dome of the Rock. Date: 9:32am 14Dec2015. Source: Violations archive of Jerusalem Awqaf and al-Aqsa Mosque Affairs*”. N.B. the location given in the Arabic was inaccurate)

190. Throughout February 2016, groups of Jewish extremists were enabled to roam freely in a provocative manner inside AAM/HAS accompanied by heavily armed Israeli police and military officers:



(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 21 February 2016<sup>202</sup>. An English description of the photograph is “*Violation: Incursion of extreme settlers in their religious clothes, escorted by armed special forces into Al-Aqsa Mosque / Al-Haram Al-Sharif. Location: Close to the Qibli Mosque. Date: 8:35am 4Feb2016. Source: Violations archive of Jerusalem Awqaf and al-Aqsa Mosque Affairs*”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 21 February 2016<sup>203</sup>. An English description of the photograph is “*Violation: Israeli police enables the extremists in religious clothes to intrude Al-Aqsa Mosque / Al-Haram Al-Sharif, escorted by special forces. Location: Close to the Qibli Mosque. Date: 9:30am 4Feb2016. Source: Violations archive of Jerusalem Awqaf and al-Aqsa Mosque Affairs*”)





التفكك : السماح للشرطة بمنظرين يهود بالقدام المسجد الأقصى - الحرم الشريف - بالباس المتكئين ويرفقة القوات الخاصة  
المكان : مقابل باب القطنين  
التاريخ : 8/2/2016 الساعة : 9:10  
أرشيف التهافتات - دائرة أوقاف القدس وشؤون المسجد الأقصى



التفكك : السماح لمنظرين يهود بالقدام المسجد الأقصى - الحرم الشريف في لباس المتكئين وهدنة الأقدام ويرفقة القوات الخاصة  
المكان : بالقرب من الجامع القبلي  
التاريخ : 14/2/2016 الساعة : 8:35  
أرشيف التهافتات - دائرة أوقاف القدس وشؤون المسجد الأقصى

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 21 February 2016<sup>204</sup>. An English description of the photograph is “*Violation: Israeli police enables extremist Jews incursion into Al-Aqsa Mosque / Al-Haram Al-Sharif in their religious clothes and escorted by special forces. Location: opposite to Bab Al-Qattaneen. Date: 9:10am 8Feb2016. Source: Violations archive of Jerusalem Awqaf and al-Aqsa Mosque Affairs*”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 21 February 2016<sup>205</sup>. An English description of the photograph is “*Violation: Israeli police enables extremist Jews incursion into Al-Aqsa Mosque / Al-Haram Al-Sharif in their religious clothes and escorted by special forces. Location: Near the Qibli Mosque. Date: 8:35am 14Feb2016. Source: Violations archive of Jerusalem Awqaf and al-Aqsa Mosque Affairs*”)



التفكك : السماح لمنظرين يهود بالقدام المسجد الأقصى - الحرم الشريف في لباس المتكئين وهدنة الأقدام ويرفقة القوات الخاصة  
المكان : بالقرب من الجامع القبلي  
التاريخ : 17/2/2016 الساعة : 9:11  
أرشيف التهافتات - دائرة أوقاف القدس وشؤون المسجد الأقصى



(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 21 February 2016<sup>206</sup>. An English description of the photograph is “*Violation: Israeli police enables extremist Jews incursion into Al-Aqsa Mosque / Al-Haram Al-Sharif in their religious clothes and escorted by special forces. Location: opposite to Bab al-Qattaneen. Date: 9:11am 17Feb2016. Source: Violations archive of Jerusalem Awqaf and al-Aqsa Mosque Affairs*”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 21 February 2016<sup>207</sup>. An English description of the photograph is “*Violation: Heavily armed Israeli police walk inside Al-Aqsa Mosque / Al-Haram Al-Sharif. Location: Close to the Qibli Mosque. Date: 14Feb2016. Source: Violations archive of Jerusalem Awqaf and al-Aqsa Mosque Affairs*”)

191. Throughout December 2016 and January 2017, multiple groups of Jewish extremists were escorted inside AAM/HAS by armed Israeli police to perform Jewish prayers and rituals. The Israeli police, through their own acts and/or omissions, enabled the Mughrabi Gate to be used as an access point for greater incursions, and began to bring and park a police vehicle inside AAM/HAS.

192. Throughout April 2017, more groups of Jewish extremists were escorted through AAM/HAS by the Israeli police and military:



التعليق: السماح للشرطة الإسرائيلية لمجموعة من المتطرفين اليهود بالقدوم بالمسجد الأقصى المبارك الحرم الشريف بلباس ديني عادي ومن بينهم متطرفين يهودي عسكري رسمي  
المكان: ساحة المسجد الحرام  
التاريخ: 09.04.2017 الساعة: 10:05  
المصدر: إدارة أوقاف القدس وشؤون المسجد الأقصى المبارك



التعليق: ساحة الشرطة الإسرائيلية لمجموعة كبيرة من الفئات الخاصة بالقدوم بالمسجد الأقصى المبارك للمتحدين للمسيح الأقصى المبارك الحرم الشريف  
المكان: باب السلسلة  
التاريخ: 12.4.2017 الساعة: 11:00  
المصدر: إدارة أوقاف القدس وشؤون المسجد الأقصى المبارك

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 19 April 2017<sup>208</sup>. The *Awqaf*'s description of the photograph in English was “*The Israeli Occupation Authorities and Police enabled a group of Jewish extremists, dressed in religious clothes and barefooted,*

*some of them were barefooted and in military uniform, to practice Talmudic prayers at the stairs descending to the Marwani Mosque inside Al-Aqsa Mosque/Al-Haram Al-Sharif at 10:05 a.m., on 9/4/2017”)*

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 19 April 2017<sup>209</sup>. The *Awqaf*’s description of the photograph in English was “*The Israeli Occupation Authorities and Police enabled large groups of Special Forces to intrude Al-Aqsa Mosque/Al-Haram Al-Sharif in order to protect the extremists’ incursion into Al-Aqsa, as evidenced in the photo taken next to Bab Al-Silsileh at 11:00a.m., on 12/4/2017”)*

193. In May 2017, incursions by Jewish extremists, enabled by the presence of Israeli police and military continued. Whilst the Israeli narrative will no doubt be that the presence of the military and the police was required for reasons of security, the conduct of the Israeli officials present evidences facilitation, if not clear support and participation in these deliberately provocative acts. If disturbances ensued, and Muslim worshippers were driven to anger, this is unsurprising:



(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 4 May 2017<sup>210</sup>. The *Awqaf*’s description of the photograph in English was “*IOA allows/fails to prevent Jewish extremists to storm Al-Aqsa Mosque in their religious dress and barefoot, and are furthermore allowed to perform Jewish prayers publically and under the watchful eye of the Israeli police at 09:50a.m. on May 2<sup>nd</sup>, 2017”)*

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 4 May 2017<sup>211</sup>. The *Awqaf*’s description of the photograph in English was “*Israeli Occupation*



*Authorities (IOA) allow/failed to prevent a group of Jewish intruders to storm Al-Aqsa Mosque in military uniform; making a formal salute as standing behind another Jewish extremists performing Talmudic rituals; all while facing the Dome of the Rock in a highly provocative scene at 08:50 a.m. on May 2<sup>nd</sup>, 2017”)*



التعليق: سمح الشرطة الإسرائيلية لمحتلفين يهودي بعضهم بالسيطرة على المسجد الأقصى المبارك ( الحرم الشريف ) بأعداد كبيرة خلال الأقدام وإلباس العسكريين  
المكان: باب السلسلة  
التاريخ: 24.5.2017 الساعة: 08:17  
المصدر: دائرة الوقف القدس وشؤون المسجد الأقصى المبارك



التعليق: سمح الشرطة الإسرائيلية لأعداد كبيرة من المحتلفين اليهودي بعضهم بالسيطرة على المسجد الأقصى المبارك ( الحرم الشريف ) خلال الأقدام وإلباس العسكريين  
المكان: باب السلسلة  
التاريخ: 24.5.2017 الساعة: 09:09  
المصدر: دائرة الوقف القدس وشؤون المسجد الأقصى المبارك

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 29 May 2017<sup>212</sup>. The *Awqaf*’s description of the photograph in English was “*IOA allows a group of Jewish extremists to storm Al-Aqsa Mosque/Al-Haram Al-Sharif in their religious dress and barefooted and under the protection of Israeli Special Forces and that was near As-Silsilah Gate on Wednesday May 24<sup>th</sup>, 2017 at 08:17 AM*”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 29 May 2017<sup>213</sup>. The *Awqaf*’s description of the photograph in English was “*IOA allows a large group of Jewish extremists to storm Al-Aqsa Mosque/Al-Haram Al-Sharif in their religious dress and barefooted; and allows them to perform religious and Talmudic rites at the entrance to Al-Qibli Mosque and that was on Wednesday May 24<sup>th</sup>, 2017 at 09:09 AM*”)



التفويض: إعدام أعداد كبيرة من القوات الخاصة الإسرائيلية بأشغالهم للمسجد الأقصى المبارك الحرم الشريف الحامية المتطرفين وإزاحاب المصلين  
المكان: باب السلسلة  
التاريخ: 24.5.2017 الساعة: 11:00  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك



التفويض: قيام القوات الخاصة الإسرائيلية بالاعتداء على حراس المسجد الأقصى المبارك بضلع الرجز في مقابل ساحت المسجد وقيام هذه القوات الخاصة بتجهيز الحراس والمصلين بالسلع  
المكان: باب السلسلة  
التاريخ: 24.5.2017 الساعة: 11:00  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 29 May 2017<sup>214</sup>. The *Awqaf*'s description of the photograph in English was “large numbers of fully armed Israeli Special Forces storm Al-Aqsa Mosque/Al-Haram Al-Sharif to protect Jewish extremists and to terrorize worshippers and that was near Al-Silsilah Gate on Wednesday May 24<sup>th</sup>, 2017 at 11:00 AM”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 29 May 2017<sup>215</sup>. The *Awqaf*'s description of the photograph in English was “Israeli Special Forces batter Aqsa Guard Nidal Al-Wa’ri, while one members of the Special Forces threatened the rest of the guards and the worshippers using his weapons and that was near As-Silsilah Gate on Wednesday May 24<sup>th</sup>, 2017 at 11:00AM”)



التفويض: إعدام أعداد كبيرة من القوات الخاصة الإسرائيلية على حراس المسجد الأقصى المبارك والمصلين بضرب الرجز  
المكان: باب السلسلة  
التاريخ: 24.5.2017 الساعة: 11:00  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك



التفويض: إعدام أعداد كبيرة من القوات الخاصة الإسرائيلية على حراس المسجد الأقصى المبارك والمصلين بضرب الرجز  
المكان: باب السلسلة  
التاريخ: 24.5.2017 الساعة: 11:00  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 29 May 2017<sup>216</sup>. The *Awqaf*'s description of the photograph in English was “Israeli Special Forces

*batter Aqsa Guards and worshippers for no reason and that was near As-Silsilah Gate on Wednesday May 24<sup>th</sup>, 2017 at 11:00 AM”)*

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 29 May 2017<sup>217</sup>. The *Awqaf*’s description of the photograph in English was “*Israeli Special Forces batter Al-Aqsa Mosque employee, Raed Zghayir for no reason and that was near As-Silsilah Gate on Wednesday May 24<sup>th</sup>, 2017 at 11:00AM”)*



التعليق: اعتداء القوات الخاصة الإسرائيلية بالضرب المبرح على حارس المسجد الأقصى المبارك لفضل الزعري واعتقله دون أي سبب  
المكان: باب السلسلة  
التاريخ: 24.5.2017 الساعة: 11:00  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك



التعليق: اعتداء القوات الخاصة الإسرائيلية على حارس المسجد الأقصى المبارك خليل التهامي بالضرب المبرح واعتقله دون سبب  
المكان: باب السلسلة  
التاريخ: 24.5.2017 الساعة: 11:00  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 29 May 2017<sup>218</sup>. The *Awqaf*’s description of the photograph in English was “*Israeli Special Forces batter Aqsa Guard Nidal Al-Wa’ri, and arrests him for no reason; and that was near As-Silsilah Gate on Wednesday May 24<sup>th</sup>, 2017 at 11:00 AM”)*

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 29 May 2017<sup>219</sup>. The *Awqaf*’s description of the photograph in English was “*Israeli Special Forces batter Aqsa guard, Khalil At-Tarhouni and arrests him for no reason and that was near As-Silsilah Gate on Wednesday May 24<sup>th</sup>, 2017 at 11:00 AM”)*

194. On 28 May 2017, in a provocative assertion of Israeli sovereignty over AAM/HAS, Israel’s Cabinet held one of its weekly meetings inside the tunnels under the Western Wall, reportedly “to mark the 50th anniversary of the reunification of Jerusalem”<sup>220</sup>.

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<sup>220</sup> Jewish Telegraphic Agency, *Israeli Cabinet meets in Western Wall tunnels, approves Old City elevator* (28 May 2017)





Israeli Prime Minister Benjamin Netanyahu gesturing in the Western Wall tunnels before the start of a special weekly Cabinet in Jerusalem, May 28, 2017. (Kobi Gideon/GPO)



Benjamin Netanyahu's cabinet meets in the Western Wall Tunnels, May 28, 2017. Credit: Emil Salman

221

195. In July 2018, Israel's Prime Minister announced the lifting of the ban imposed in 2015 on Israeli government ministers and Knesset members visiting AAM/HAS. As a report from Ir Amim stated:

<sup>221</sup> Haaretz, *Netanyahu Returns to the Western Wall Tunnels, the Bedrock of His Political Existence* (28 May 2017)

*“Last week Prime Minister Netanyahu announced that he would lift the ban – in place since 2015 – on government ministers and Knesset members making ascents to the Mount, resulting in immediate visits by prominent right wing figures. These ‘visits’ are the short-term manifestation of a radical agenda promoted by Temple Movement activists who seek to fundamentally change arrangements at the holy site and in the long-term, to realise construction of the Third Temple”<sup>222</sup>.*

196. Throughout August and September 2018, repeated and provocative incursions of Jewish extremists, including groups led by senior Israeli officials such as Uri Ariel, and radical figures such as Yehuda Glick, continued:



الانتهاك: مجموعة كبيرة من أفراد الشرطة والقوات الخاصة يقومون بالاعتداء على أحد موظفي دائرة الأوقاف الإسلامية داخل المسجد الأقصى المبارك / الحرم القدسي الشريف المكان: بالقرب من الملك فيصل. التاريخ: 18/09/2018 المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.



الانتهاك: مجموعة كبيرة من أفراد الشرطة والقوات الخاصة يقومون بالاعتداء بالضرب على أحد المصلين داخل المسجد الأقصى المبارك / الحرم القدسي الشريف المكان: بالقرب من الملك فيصل. التاريخ: 18/09/2018 المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

(The photograph above (left) was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 30 October 2018<sup>223</sup>. The *Awqaf*’s description of the photograph in English was “On September 18<sup>th</sup> 2018, members of the Israeli police force and Special Forces physically assault an *Awqaf* employee in side Al-Aqsa Mosque/Al-Haram Al-Sharif”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 30 October 2018<sup>224</sup>. The *Awqaf*’s description of the photograph in English was “On September 18<sup>th</sup> 2018, a large group of Israeli policemen and Special Forces beat a worshipper inside Al-Aqsa Mosque/Al-Haram Al-Sharif, near King Faisal Gate”)

<sup>222</sup> Ir Amim, *Circumventing Red Lines: The Paradigmatic Shift in Israel’s Policy on Jerusalem* (19 July 2018)



الانتهاك: اعداد كبيرة من افراد القوات الخاصة المدججين بالسلح تحول ساحات المسجد الأقصى المبارك / الحرم القدسي الشريف إلى ما يشبه الثكنة العسكرية.  
المكان: باب السلسلة.  
التاريخ: 27/09/2018  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

(The photograph above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 30 October 2018<sup>225</sup>. The *Awqaf*'s description of the photograph in English was “On September 27<sup>th</sup> 2018, large numbers of armed Special Forces roam inside Al-Aqsa Mosque/Al-Haram Al-Sharif's Plazas; turning the Holy Site into a military barracks”)





الانتهاك: اقتحام عضو "الكثيبت الإسرائيلي" يهودا كليك المسجد الأقصى المبارك/الحرم الشريف ضمن حماية مشددة من الشرطة الإسرائيلية والقوات الخاصة المندجة بالسلح وممارس تصرفاته الانتفازية من خلال السلوات والحديث مع السياح الأجانب والتقاط الصور معهم.

المكان: بالقرب من البانكة الغربية الشمالية.

التاريخ: 05/09/2018

المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

(The photograph above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 30 October 2018<sup>226</sup>. The *Awqaf*'s description of the photograph in English was "*On September 5<sup>th</sup> 2018, Member of Knesset Yehuda Glick storms Al-Aqsa Mosque/Al-Haram Al-Sharif under heavy protection of armed members of Israeli Police and Special Forces. Glick provocatively performs Jewish prayers, greets foreign tourists and takes photos with them*")

197. On 18 September 2018, hundreds of Jewish extremists in the presence of Israeli military and police, entered AAM/HAS, performed Jewish rituals and disrupted Muslim prayers. Jordan and Palestine wrote to the UNESCO Director-General to protest this action on 14 November 2018<sup>227</sup>.

198. On 16 September 2021, Rabbi Yehuda Etzion, who was part of a group that conspired to destroy AAM/HAS with explosives in 1982, entered AAM/HAS to lead a group of Jewish extremists in prayer in the presence of armed Israeli police<sup>228</sup>.

<sup>227</sup> Jordanian-Palestinian Protest to UNESCO Director-General (14 November 2018)

<sup>228</sup> Haramalaqsa.com, *Terrorist leader Yehuda Etzion lead Jewish rituals in al-Aqsa* (16 September 2021)



199. As discussed above, in April 2022, during Ramadan, very significant clashes took place as a result of Israeli violations and provocations against Muslim worshippers and against AAM/HAS. Significant physical damage was done inside the Al-Qibli Mosque. The Israeli flag was raised in the precincts of AAM/HAS. Israeli occupation forces raided AAM/HAS during dawn prayers and attacked Palestinian worshippers with rubber bullets, stun grenades and tear gas, causing injuries to more than 150 people. More than 400 arrests were made<sup>229</sup>:

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<sup>229</sup> Letter from Palestine to UN Secretary-General and UNSC President (15 April 2022)] / Letter from Permanent Representative of Algeria to UN Secretary-General conveying message from President of Algeria (18 April 2022) / Letter from Israel to UN Secretary-General and UNSC President (21 April 2022) / Letter from Malaysia to UN Secretary-General conveying letter from Malaysia's Minister of Foreign Affairs (22 April 2022)



انتهاك: السماح لعضو الكنيست إيتمار بن غفير اقتحام المسجد الأقصى المبارك / الحرم القدسي الشريف  
الإسرائيلي داخل باحات المسجد.  
المكان: مقابل البانكة الغربية للمسجد الأقصى المبارك، بالقرب من باب القبطانين.  
التاريخ: 05.05.2022، الساعة 08:58.  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.



انتهاك: السماح لمتطرفين يهود اقتحام المسجد الأقصى المبارك/الحرم القدسي الشريف ورفع العلم  
الإسرائيلي داخل باحات المسجد.  
المكان: مقابل البانكة الغربية للمسجد الأقصى المبارك، بالقرب من باب القبطانين.  
التاريخ: 05.05.2022، الساعة 08:58.  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 May 2022<sup>230</sup>. The *Awqaf*'s description of the photograph in English was “*The Israeli police allowing Knesset Member Itmar Ben Gvir to intrude Al-Aqsa Mosque / Al-Haram Al-Sharif and make incitement statements a day before Ramadan*”)

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 May 2022<sup>231</sup>. The *Awqaf*'s description of the photograph in English was “*The Israeli police allowed extremist Jews to intrude Al-Aqsa Mosque / Al-Haram Al-Sharif and raise the Israeli flag inside the Mosque*”)





انتهاك: اقتحام القوات الخاصة المدججين بالسلاح المسجد القبلي في المسجد الأقصى المبارك / الحرم القدسي الشريف بالأحذية والبساطير واعتقال أكثر من 400 مصل كانوا متواجدين بالمسجد والاعتداء على المصلين المتواجدين بالرصاص المطاطي والقنابل الصوتية

المكان: المسجد القبلي.

التاريخ: 15.04.2022، صباحاً.

المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.



انتهاك: اقتحام القوات الخاصة المدججين بالسلاح المسجد القبلي في المسجد الأقصى المبارك / الحرم القدسي الشريف بالأحذية والبساطير واعتقال أكثر من 400 مصل كانوا متواجدين بالمسجد والاعتداء على المصلين المتواجدين بالرصاص المطاطي والقنابل الصوتية

المكان: المسجد القبلي.

التاريخ: 15.04.2022، صباحاً.

المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 May 2022<sup>232</sup>. The *Awqaf*'s description of the photograph in English was “Armed Israeli police and Special Forces intruded the Qibli Mosque keeping on their shoes, tied up about 40 worshippers on their faces down on the ground and arrested more than 400 after attacking them with rubber bullets and gas grenades”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 May 2022<sup>233</sup>. The *Awqaf*'s description of the photograph in English was “Israeli occupation forces stormed the Qibli Mosque, ransacking the site, assaulting worshippers, tied up over 40 youth and forced them, in a very insulting way, to lie face down on the prayer carpet”)



انتهاك: اعتداء القوات الخاصة المدججين بالسلاح على النساء بالضرب بالهروات داخل باحات المسجد الأقصى المبارك/الحرم القدسي الشريف.  
المكان: باب المجلس.  
التاريخ: 15.04.2022، صباحاً.  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.



انتهاك: اعتداء القوات الخاصة المدججين بالسلاح على الرجال والنساء بالضرب المبرح داخل باحات المسجد الأقصى المبارك/الحرم القدسي الشريف.  
المكان: سطح قبة الصخرة المشرفة.  
التاريخ: 15.04.2022، صباحاً.  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 May 2022<sup>234</sup>. The *Awqaf*'s description of the photograph in English was “*Israeli policeman pushing a woman in her back by his baton to kick her out of al-Aqsa Mosque*”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 May 2022<sup>235</sup>. The *Awqaf*'s description of the photograph in English was “*Israeli police is beating with baton another innocent Muslim worshipper for no reason*”)



التهتك: إطلاق القوات الخاصة المدججين بالسلاح الرصاص المطاطي على رأس موظف أعمار المسجد الأقصى المبارك / الحرم القدسي الشريف وأصابته إصابة خطيرة بالرأس.  
المكان: ساحة المرواتي.  
التاريخ: 15.04.2022، صباحاً.  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

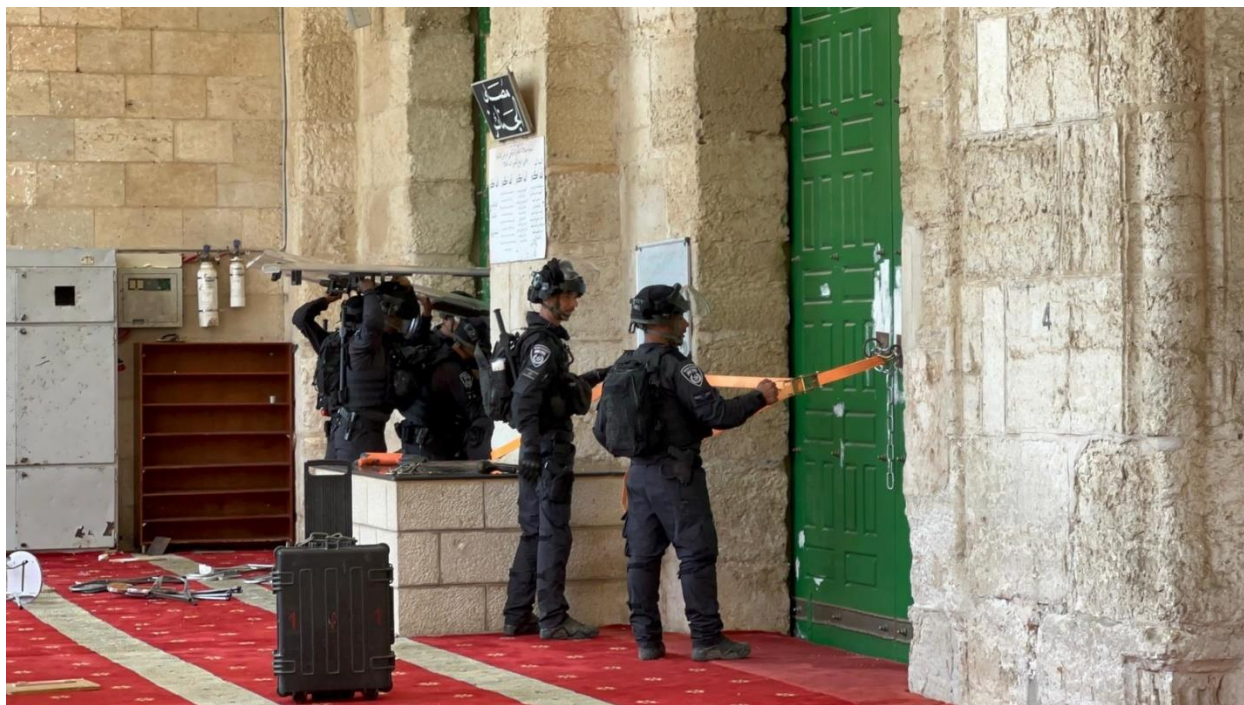


التهتك: السماح للشرطة الإسرائيلية لمجموعات كبيرة من المتطرفين اليهود التعمد المسجد الأقصى المبارك / الحرم القدسي الشريف ورفع الأعلام الإسرائيلية داخل باحاته.  
المكان: باب المشكاة.  
التاريخ: 29.05.2022  
المصدر: دائرة الأوقاف الإسلامية وشؤون المسجد الأقصى المبارك.

(The photograph (left) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 12 May 2022<sup>236</sup>. The *Awqaf*'s description of the photograph in English was “*Israeli occupation forces attacked by rubber bullets Jerusalem Awqaf restoration staff and critically injured him in his head*”)

(The photograph (right) above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 1 June 2022<sup>237</sup>. The *Awqaf*'s description of the photograph in English was “*The Israeli police enabling number of Jewish extremists to intrude Al-Aqsa Mosque / Al-Haram Al-Sharif and to raise the Israeli flags in a provocative violation in Al-Aqsa*”)





انتهاك: اقتحام القوات الخاصة المدججة السلاح المسجد الأقصى المبارك / الحرم القدسي الشريف وتخريب أبواب المسجد القبلي وإغلاقها بالقوة.

المكان: المسجد القبلي.

التاريخ: 29.05.2022

المصدر: دائرة الأوقاف الإسلامية وشؤون المسجد الأقصى المبارك.

(The photograph above was enclosed with the protest note sent by the *Awqaf* to the Israeli police dated 1 June 2022. The *Awqaf*'s description of the photograph in English was “*The Israeli police causing severe damages to the gates of the Qibli Mosque via locking by iron series*”)

200. On 3 January 2023, Itamar Ben-Gvir, Israel’s Minister of National Security, recipient of criminal convictions for inciting racism and supporting the Kach terrorist group and proponent of expulsion from Israel of Arabs who are not loyal to Israel, intruded into AAM/HAS accompanied by the Israeli police<sup>238</sup>.

201. As discussed above, on 4-5 April 2023, during Ramadan, many Palestinian worshippers had (following tradition) stayed in AAM/HAS overnight to pray. Before dawn, Israeli occupation forces raided AAM/HAS and forced the worshippers out using batons, stun grenades and tear gas. More than 500 Palestinians were arrested.

<sup>238</sup> Letter from Palestine to UN Secretary-General, UNGA President and UNSC President (3 January 2023)

202. On 21 May 2023, Itamar Ben-Gvir, Israel's Minister of National Security, again intruded into AAM/HAS accompanied by the Israeli police and prayed in the Bab Al-Rahma area for 30 minutes. He is reported to have said: *"We are the owners of the house on the Temple Mount, and this belongs to us, and no one else, and it is important for everyone"*<sup>239</sup>. This act received international condemnation, including from the United States of America<sup>240</sup>, France<sup>241</sup>, Turkey<sup>242</sup> and the OIC<sup>243</sup>.

203. On 21 May 2023, in a provocative purported assertion of Israeli sovereignty over AAM/HAS, Israel's Cabinet (for the second time) held one of its weekly meetings inside the tunnels under the Western Wall<sup>244</sup>.



Israel's Cabinet holds a meeting under Al-Aqsa Mosque in Jerusalem on 21 May 2023. [IsraeliPM/Twitter]

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<sup>239</sup> Arab News, *Saudi Arabia, Arab nations condemn Israeli security minister's Al-Aqsa visit* (21 May 2023)

<sup>240</sup> Anadolu Agency, *US 'concerned' by Ben-Gvir's storming of Jerusalem's Al-Aqsa complex* (23 May 2023)

<sup>241</sup> Permanent Mission of France to the United Nations, *Israel/Palestinian territories: France is concerned about the unilateral measures* (24 May 2023)

<sup>242</sup> Turkiye News, *Ankara slams Israeli minister's raid on Haram al-Sharif* (21 May 2023)

<sup>243</sup> Final Communiqué adopted by the Open-ended Extraordinary Meeting of the Executive Committee of the Organisation of Islamic Cooperation to Discuss the Ongoing Israeli Attacks on Al-Aqsa Mosque (24 May 2023)

<sup>244</sup> Anadolu Agency, *Palestinians decry Israeli gov't meeting inside Al-Buraq Wall tunnels of Jerusalem's Al-Aqsa* (22 May 2023) / Office of the Prime Minister of Israel, *Press Release: Due to the Importance of the Western Wall, the Cabinet has Approved PM Netanyahu's Proposal to Increase the Five-Year Plan by Approximately NIS 60 Million* (21 May 2023)

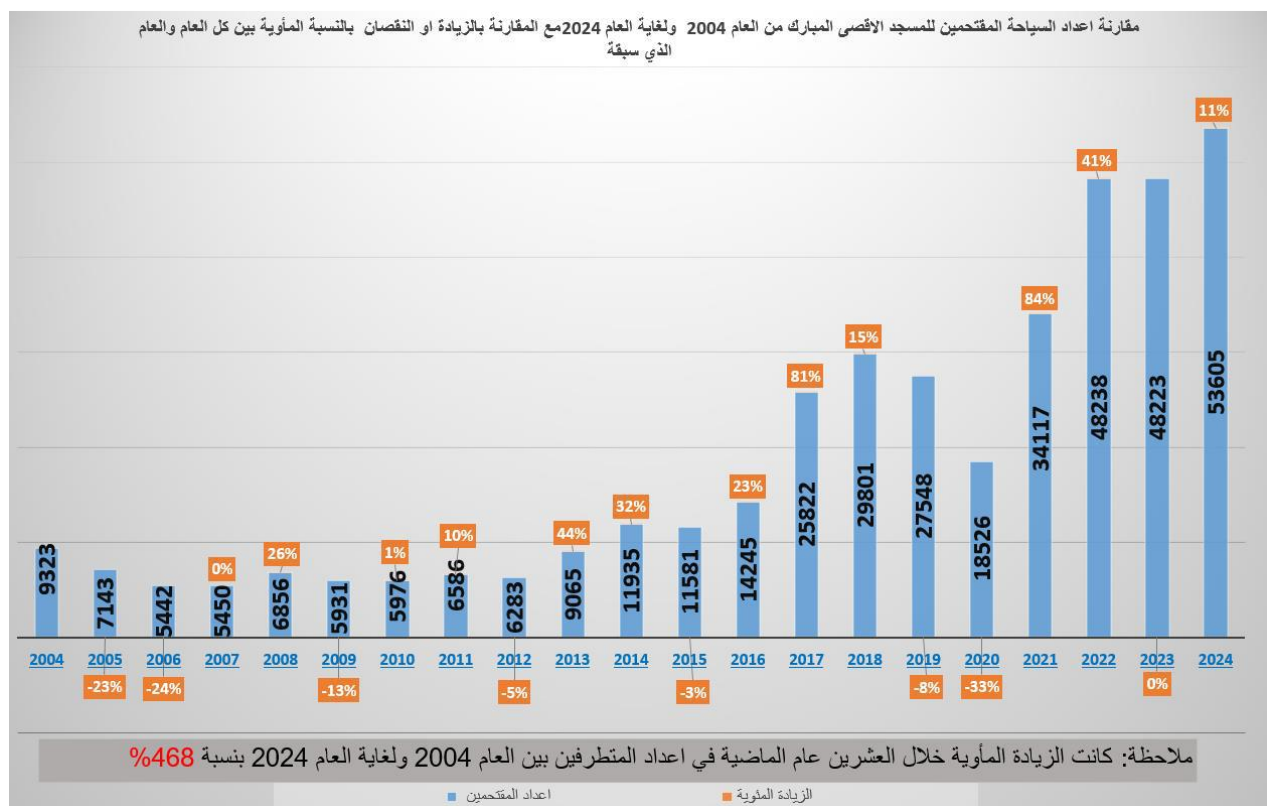
<sup>245</sup> Middle East Monitor, *Israel: cabinet holds meeting beneath Al-Aqsa Mosque* (22 May 2023)



204. On 1 August 2023, Israeli NGO, Ir Amim, uncovered the involvement of the Israeli government in helping to secure “red heifers” for ritual sacrifice, which according to Jewish law is required to rebuild the Jewish temple on AAM/HAS. The project to acquire this specific type of cow from the United States was spearheaded by the Temple Movements and an American Evangelical Christian group with the support of the Israeli state. According to Jewish law, the sacrifice of a red heifer (young female cow) would enable ritual purification necessary for mass Jewish incursions into AAM/HAS and ultimately the construction of the third temple in place of the Dome of the Rock.

205. In continuation of these trends, the year 2024 witnessed a marked and alarming intensification of settler incursions and provocative acts targeting Al-Aqsa Mosque / Al-Haram Al-Sharif.

206. In 2024, Israeli settler incursions into Al-Aqsa reached unprecedented levels, with reports indicating that approximately 53,605 Israeli settlers stormed the site throughout the year. This represents a significant escalation compared to previous years—48,223 in 2023 and over 48,000 in 2022—and signals a concerning pattern in the growing frequency and scale of such incursions.



207. These incursions were marked not merely by presence but by deliberate provocation. Settlers openly performed religious rituals within the compound, including public prayers, singing, dancing, and attempts to establish a synagogue-like presence. On 15 April 2024, prominent Religious Zionist rabbis, including Rabbi Dov Lior, Rabbi Israel Ariel, and Rabbi Shimshon Elbiom, entered Al-Aqsa and conducted the Mincha (Afternoon) prayer with a full quorum, in direct defiance of longstanding restrictions on non-Muslim worship within the site.



15 April 2024

208. The culmination of such actions was witnessed on 4 September 2024, when large groups of extremist Jewish settlers, accompanied by Israeli police, stormed the courtyards of Al-Aqsa. They engaged in singing and dancing and performed various religious rites, effectively transforming parts of the mosque compound into spaces resembling synagogues. This event drew widespread concern about efforts to erode the Islamic identity of the site and alter its established character.

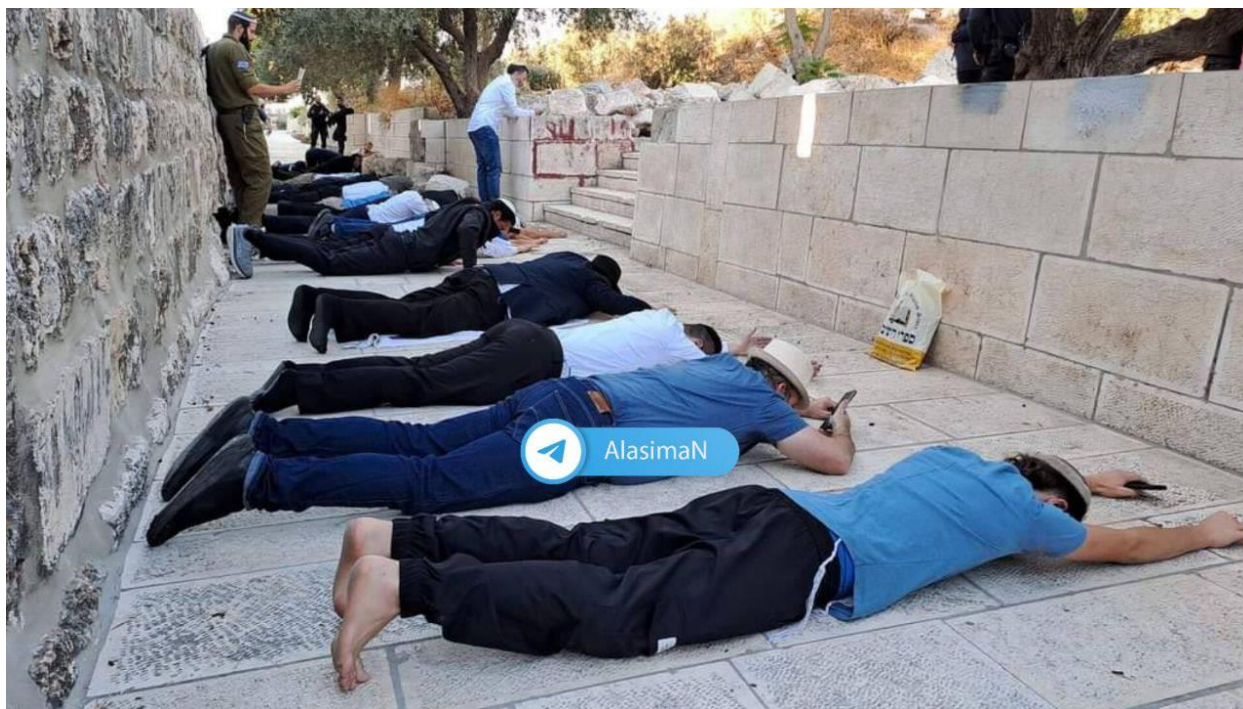


4 September 2024

209. These developments are not isolated but form part of a broader strategy by Israeli authorities and Temple-oriented groups to reshape the historical and religious status quo of AAM/HAS. Their stated objective is the establishment of a permanent Jewish presence within the Mosque, a move that would fundamentally alter the Islamic nature of the site, heighten regional tensions, and further imperil the already fragile prospects for peace.

210. During the Jewish Passover holiday in April 2024, settler activity intensified significantly. Over the span of five days, 4,345 Jewish extremists entered Al-Aqsa, performing Talmudic rituals, prayers, and celebratory dances. This marked a 26% increase in incursions compared to the previous year's Passover. These actions were supported by heavily armed Israeli forces stationed within the Old City and at the gates of the Mosque. The incursions were led and encouraged by right-wing Temple Mount groups, including the "Returning to the Temple Mount" organization, which offered financial rewards to those willing to attempt the Passover sacrifice at the site. The provocations prompted serious alarm, with Palestinian leaders warning of preparations to destroy Al-Aqsa and construct the so-called Third Temple in its place.





Prostration ritual: most notable almost daily violation in 2024

211. The current situation remains highly volatile. Israeli National Security Minister Itamar Ben-Gvir has continued to advocate for policies that favour settler access and diminish Muslim worshippers' rights. This shift in policy is reflected in the increasing tolerance of extremist activities by Israeli police, alongside the imposition of restrictions on Muslim access to the Mosque. As settler incursions rise, the perceived erosion of the site's Islamic character has raised acute concerns across the Muslim world. There is growing fear that the historical status quo of Al-Aqsa is facing a systematic and existential threat.

212. In June 2023, Likud Knesset member Amit Halevi promoted a plan to divide AAM/HAS between Jews and Muslims. Under the plan, Muslims will receive the southern area and the Jews will receive the central and northern area, including the Dome of the Rock. In addition, Halevi suggests removing the Kingdom of Jordan's custodianship over the AAM/HAS by launching a process to remove its decades-long political status achieved through agreements with Israel. Halevi noted, saying it is a "sin to history" to give status to a foreign nation on the sacred site. "This status should be abolished. I know it's an agreement between countries, but we have to deal with it. It requires change even if the process that will take time" Halevi adds.

## VI. Latest threats and incitement against Jerusalemites

213. On October 30, 2023 Ben Gvir along with police officials announced the establishment of 'Rapid-Response Squads' as 'civilian security squads'; volunteers in these squads will be armed/ trained to 'keep the residents of the city safe'. Notably the first ten 'readiness classrooms' were all held in E. Jerusalem settlements, all at close proximity to the Old City. The armed settlers militia, dressed in military uniform, carried out numerous attacks against Palestinians in E-Jerusalem and the West Bank.



(Photo above shows Israeli National Security Minister Itamar Ben-Gvir attends an inauguration ceremony of a new civilian guard unit, handing out M5 automatic assault rifles, Oct. 27, 2023)

214. On January 24, 2024 Deputy Israeli Mayor of Jerusalem, Arie King, published a post on his Facebook account stating: "we have to understand that the Arabs of Jerusalem and the West Bank, like the Arabs of Gaza, consist of radical Islamists, a Christian minority, a silent majority that quietly supports terrorism and a Muslim minority that opposes it. We must take a hard hand against anyone who wants us dead. Those damned terrorists and their families should be disgracefully deported from Israel so that everyone knows that there is no life in Israel for those who wish to murder us."



215. In May 2021 A video filmed by +972 photojournalist Oren Ziv shows Jerusalem Deputy Mayor Aryeh King who had arrived at a scene where settlers were harassing and attacking Palestinians who were breaking their Ramadan fast during a protest vigil in Sheikh Jarrah [a neighborhood where dozens of Palestinians are facing imminent eviction and replacement by settlers]. Once there, he began mocking



Mohammed Abu Hummus, a prominent Palestinian activist from East Jerusalem's Issawiya neighborhood. King yelled at Abu Hummus that "it's a pity [the bullet] didn't go in here," while pointing to his own forehead, referring to the fact that Abu Hummus had previously been shot in the lower back. The settlers around him seem to be having a good time watching their political benefactor publicly ridicule a Palestinian man who uses crutches to get around.



## CHAPTER THREE

### ISRAELI VIOLATIONS OF CHRISTIAN HOLY PLACES AND CHRISTIAN PRESENCE

217. The Christian Holy Places have for a long time experienced direct attacks, including vandalism perpetrated by extremist individuals and organizations against which the Israeli authorities have failed to take appropriate action. In 2012/2013, inter alia, the Monastery of the Cross (administered by the Greek Orthodox Church), the Jerusalem Baptist Narkis Street Congregation Church, the Monastery of Notre-Dame de Sept-Douleurs, the Church of the Dormition, St George's Church (a Romanian Orthodox Church), the Calvary Baptist Church, and the Protestant Cemetery at Mount Zion all experienced such attacks. In 2016, the Benedictine monastery (Dormition Abbey) on Mount Zion, the Jasmine Church and others were the subject of violations. In 2020, there was an attempt to set fire to the Church of Gethsemane.



218. More recently, on 31 March 2023, the Patriarchs and Heads of the Churches in Jerusalem issued an Easter Message stating:

"Some of our churches, funeral processions, and places of public gathering have become targets of attack; some of our holy sites and cemeteries have been desecrated; and some of our ancient liturgies, such as the Palm Sunday Procession and the Holy Fire Ceremony, have been closed off to thousands of worshipers..."

On

In the morning of 2 February 2023, a radical Jew entered the Church of the Flagellation, which is the first stop on the Via Dolorosa, in the Old City of Jerusalem. The man tore down the statue of Jesus and defaced the face of the statue. After he was immobilized by the shrine's Arab Muslim door keeper, the police arrived and arrested him. This was the fifth incident that has occurred in a few weeks before.



Statue of Jesus torn down by a Jewish extremist who intruded the Flagellation Church in the Via Dolorosa Street, 2 Feb, 2023

219. Jerusalem Churches report frequently about so many vandalism attacks. Unfortunately they are frightened to report to the public or release in media about these attacks because they do not want to pay double price tag attacks.

Their concerns were tragically echoed in 2024, as attacks on Christian clergy, places of worship, and heritage sites escalated further. The **Rossing Center for Education and Dialogue** documented **111 anti-Christian incidents**<sup>246</sup> across Israel and East Jerusalem, 53 of which occurred in Jerusalem. These included 46 physical attacks, 35 cases of property vandalism (including attempted arson), 14 defacements of Christian signs, and 13 acts of harassment—mostly carried out by Jewish extremists, particularly ultra-Orthodox youth and national-religious activists. The Center’s report further highlighted **three serious violations of freedom of religion or belief (FoRB)** involving:

- municipal orders to remove Christian symbols from public areas,
- increased restrictions on Christian worshippers’ access to holy sites during Easter and Palm Sunday (especially for West Bank Christians), and
- state efforts to suppress Christian participation in public or interfaith events.

The report warned that police inaction and societal tolerance are normalizing Christian-targeted violence and discrimination in Jerusalem. It urged the Israeli government to take legal and educational steps to reverse this trajectory.

220. Among the most concerning events in 2024 was the escalating crisis in Jerusalem’s Armenian Quarter, specifically regarding Cows’ Garden, which comprises nearly 25% of the Quarter. In 2021, a secret 98-year lease was signed between the Armenian Patriarchate and Xana Gardens, a settler-linked real estate company. This sparked outrage across the Armenian community and was viewed as part of a broader effort to Judaize Jerusalem.

On April 3, 2024, Israeli forces and Xana representatives stormed the Cows’ Garden without legal documentation, dismantling protective structures erected by Armenian guards. The Armenian Patriarchate condemned the assault and warned that these actions were part of a strategy to forcibly erode Christian presence in Jerusalem.

The community has since filed a lawsuit to invalidate the lease, claiming the land is a waqf (religious endowment) that cannot be sold or leased. Meanwhile, settlers have continued to harass clergy and locals, and even launched physical attacks against protesters. On December 28, 2023, armed settlers assaulted Armenian clergy and community members at the site, prompting global condemnation and renewed appeals from Church leaders to protect the Armenian Quarter.

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<sup>246</sup> <chrome-extension://efaidnbmninnbpcajpcglclefindmkaj/https://rossingcenter.org/wp-content/uploads/2025/03/Web-Harrasment-christians-in-jlem-report-ENG-2024.pdf>





Dormition Abby Church on Mount Zion, belonging to the Catholic Benedictine Order, and its monks are targets of very frequent terrorist attacks by Israeli religious Zionist youth.

221. The 2024 Holy Fire Ceremony at the Church of the Holy Sepulchre also saw intensifying Israeli restrictions. On May 4, Israeli police blocked entrances to the Old City and limited participation under the guise of safety. These measures severely impacted Orthodox Christians' ability to attend the ceremony—despite centuries of peaceful tradition. Church leaders criticized these actions as excessive, politically motivated, and harmful to Christian religious freedom.

In addition, since October 2023, Israel denied permits to West Bank Christians, preventing them from reaching Jerusalem for Easter and other observances. This compounded the exclusion of Palestinian Christians from key liturgical rites and added to the sense of religious repression.

222. A growing concern among Christian institutions in 2024 was the Israeli municipality's attempt to impose municipal taxes on churches, contrary to long-established Status Quo arrangements. On July 2, Jerusalem Mayor Moshe Leon met with church leaders after legal steps were initiated by the municipality to collect alleged debts. Church leaders accused the city of using financial tools as a pretext to confiscate properties and warned of attempts to alter the Christian presence through administrative coercion.



223. As noted above, the Rossing Center's Annual Report placed these acts in a broader, systemic pattern of religious discrimination. Public expression of Christian faith has been increasingly restricted in mixed settings; Christian processions have been minimized; and church leaders were discouraged from appearing at traditionally inclusive public events. These trends, if left unaddressed, risk shrinking the civic space available to Christians and threaten the multicultural character of Jerusalem itself.

## **I. 2024 Vandalism and Price Tag Attacks against Churches and Christians**

224. January 12, West Jerusalem, A group of 3 or 4 young boys belonging to the religious ultra-Orthodox sect known as Berlander set fire to the wall surrounding the Romanian Church, which is located on the border of the ultra-Orthodox neighborhood of Mea Shearim.

225. January 24, West Jerusalem. Two glass beer bottles were thrown into the courtyard of the Catholic Polish Monastery, located adjacent to the Ultra-Orthodox neighborhood of Mea Shearim.

226. January 25, Old City, Mount Zion, The sign at the entrance of the Last Supper was defaced.

227. February 2, Ein Karem, The sign providing information about the site of Mary's Spring was defaced, with the words "Miryam" and "Yeshu" specifically erased.

228. March 10, Ein Karem, The sign at the Well of Mary in Ein Karem was vandalized with black spray paint.

229. March 20, West Jerusalem, Near the Greek Orthodox Monastery of San Simon stands an abandoned building surrounded by a fence. Several youths entered the building and threw stones towards the monastery. The monk living in the compound called the police, who arrived after a long time. They located the youths but claimed they could not take action because the youths were minors. The minors said they threw stones at the monastery because they thought it was empty, even though this is visibly not the case, as the compound is well-maintained and organized, and besides the clergy, two families live there.

230. March 28, Old City, Mount Zion, The sign indicating the Last Supper Room was defaced.

231. May 16, north to the Old City of Jerusalem, around 22:25 the people living in the compound of the community of the Sisters of Saint Joseph on HaNeviim Street heard several loud crashes coming from the outside. Alerted by the noise, members of the community walked into the

courtyard and found several garbage bags which had landed just inside the main gate of the compound. The wall and the gate of the compound are quite tall, and it was surprising to see the effort it must have taken to throw the bags over it. Upon opening the door, towards the street, the members of the community found that two other bags had been left outside the gate, on HaNeviim Street.

232. July 10, north of the Old City of Jerusalem, a piece of wood landed in the courtyard of the convent of the Salesian sisters in the neighborhood of Musrara. The object was quite the Flagellation and when confronted about why he spat he replied: “Do you want to understand why? I’ll explain it to you with blows.” He claimed that it is a mitzvah to disgrace idolatry (referring to Christian symbols and sacred spaces) and stated that he does not recognize any rabbi except a particular rabbi. He implied that he might listen if that rabbi were to forbid such actions. large, approximately one meter in length, and featured a wheel at one end, as if it was the leg of a piece of furniture. It is important to note that a street separates the Salesian House from the building from which the object was thrown, suggesting that the action was intentional. Without such intent, the object would likely have landed on the street beyond. This incident should be considered in light of previous occurrences, where objects have been thrown into the courtyard from the building across the street. These objects commonly include plastic toys, marbles, and occasionally rotten fruit or tomatoes. On one occasion, water was thrown over clothes that were line-drying, requiring a complete rewash. Stones have also been thrown into the yard on rare occasions.

233. June 12, Old City, Mount Zion, bottles were thrown over the wall into the Church AtCoenaculum.

234. June 12, Old City, Armenian Quarter, an ultraOrthodox young man spat in the direction of the Armenian Seminary.

235. June 12, Old City, Armenian Quarter, at a different time, another two other young men spat into the portal of the Armenian Patriarchate.

236. July 19, Old City, Mount Zion, in the morning, it was discovered that a glass bottle of CocaCola had been thrown into the courtyard of the Franciscan Monastery on Mt. Zion. Small pieces of glass were scattered throughout the yard.

237. August 13, Old City, Station II Via Dolorosa, a boy passing by the Second station of the Via Dolorosa spat on the wall of the Franciscan compound of the Flagellation.

238. August 13, Old City, Station II Via Dolorosa, a Jewish man spat at the Franciscan compound of the Flagellation and when confronted about why he spat he replied: "Do you want to understand why? I'll explain it to you with blows." He claimed that it is a mitzvah to disgrace idolatry (referring to Christian symbols and sacred spaces) and stated that he does not recognize any rabbi except a particular rabbi. He implied that he might listen if that rabbi were to forbid such actions.

239. September 28, north to the Old City of Jerusalem, the nuns of the Polish Catholic monastery, situated on the border of the Mea Shearim neighborhood, witnessed an incident where some ultra-Orthodox children threw stones and glass shards at the monastery and into its yard. When one of the nuns went outside to photograph the children, they threw stones at her, forcing her to run away.

240. October 2, Old City, Station II Via Dolorosa, an Orthodox Jewish man passed by the entrance of the Flagellation Church at the Second Station of the Via Dolorosa. He cursed the guard of the Franciscan compound and spat at him. The soldiers on duty intervened, escorting the man away from the scene. However, he returned twice afterward.

241. October 5, Old City, Mount Zion, at 09:00 am, the opening time of the Dormition Abbey, two young Jewish men were already waiting in front of the gates, expressing their interest in entering. After the workers at the abbey explained to them that the location is a Christian church and that they were welcome to visit if they felt comfortable doing so, they agreed to proceed. One of the staff members followed them from a distance, and upon hearing spitting sounds, he quickly approached them and escorted them outside. He asked if they had spat, to which they denied it. He then instructed them to leave and informed them that he would contact the police, prompting them to leave at that moment. However, moments later, they returned and apologized, admitting to having spat (though the target of their actions was unclear), and asked that the police not be called. They expressed respect for the Christian place and conveyed their apologies for the incident.

242. October 11, Old City, Station II of the Via Dolorosa, a group of religious youth passed by the Monastery of the Flagellation and spat through the door.

243. October 15, Old City, Christian Quarter, a Haredi (ultra-Orthodox) father was walking with his three young children when they passed by Christ Church. He explained to his children that it is customary to spit when passing a place of idolatry, presenting it as a "halachic obligation." His tone did not convey hatred or hostility. Our colleague Hana Bendcowsky happened to witness the interaction and confronted him, expressing that he was teaching his children to spit on Christians. He appeared somewhat embarrassed and clarified that he was not instructing them to spit on people or on churches, but just on the ground. Hana explained that such behavior was offensive and emphasized that there is no halachic obligation to engage in such actions. He quickly hurried his children along, who were watching the exchange with curiosity. It was clear that he was uncomfortable with the whole interaction.

244. October 18, Old City, Mount Zion, a car was parked in front of the entrance to the Cenacle Monastery which belongs to the Franciscan Order. The car was completely blocking the passage and preventing entry or exit through the gate. The vehicle was reported at 7:30 AM. The police, unable to contact the driver due to the lack of a phone number, dispatched officers to the scene. Around 8:15 AM, the driver returned and moved the car. A Franciscan friar living in the monastery attempted to speak with him, but the driver claimed not to know English and instead spoke with the police.

245. October 20, Old City, Armenian Quarter an Ultra-Orthodox nationalist (Hardal) man was seen spitting at the gate of the Armenian monastery.

246. October 21, Old City, Mt. Zion, Near the AdCaenaculum Monastery, at approximately 11:30 PM, a car was parked in front of the entrance to the Franciscan Ad Cenacle Monastery, completely blocking the passage and preventing entry or exit. The lawyer contacted the police, and the vehicle was subsequently removed.

247. October 22, Old City, Armenian Quarter, an Ultra-Orthodox man spat just before the gate of the Armenian Patriarchate.

248. October 22, Old City, Muslim Quarter, during the holiday of Sukkot, a group of Jewish men passed by the Franciscan compound at the Second Station of the Via Dolorosa. In a video filmed from inside the garden, one man is seen spitting at the entrance of the compound.

249. October 22, Old City, Mount Zion, a Hardali man spat right after passing the gate of the Patriarchate.

250. October 22, Old City, Muslim Quarter, at the Austrian Hospice junction in the Old City, several boys spat at a church. The suspects were identified through police surveillance cameras, and a police force was dispatched to apprehend them. The assault was clearly captured by the police cameras.

251. November 20, West Jerusalem, as the Polish sisters living at the monastery bordering Mea Shearim were closing the gate of the compound, three Jewish boys began spitting and calling out the name of the Lord Jesus. One of them then threw the wheel chock, which had been placed under the wheels, against the wall and the gate. Additionally, an eight-year-old boy placed a stone to block the use of the compound gate. When the sisters finally managed to open it, the boy spat at them. They immediately called 100, and the police arrived at the scene. Security camera footage helped identify the boy.

252. November 29, Old City, Christian Quarter, a picture of Mary on Santa Helena Street was torn down from where it had been hanging for the past few years.

253. December 24, Old City, Mount Zion, overnight, the walls of the Dormition Abbey and the neighboring Franciscan monastery were vandalized with graffiti reading 'Death to Arabs.' Additionally, rotten vegetables were thrown against the walls and one window leaving stains.

254. On 1 January 2023 two settlers caused damage and destruction to approximately forty graves, inscriptions and crosses of the Anglican Church Cemetery on the hill of Holy Zion. The statement issued by the Patriarchs and Heads of Churches of Jerusalem regarding the matter reads as follow:

*“We, the Patriarchs and Heads of Churches in Jerusalem, are deeply disturbed at the wanton desecration of more than thirty gravestones at the Protestant Cemetery on Mt. Zion on New Year’s Day.*

*Particularly troubling are the scenes recovered from the security camera footage from that afternoon. They reveal two young men wearing kippahs and tallit kattans maliciously smashing to pieces a stone carving of the second Protestant Bishop of Jerusalem, numerous stone crosses, and the tombstones of Christian*



*police officers of Mandate Palestine.*

*The choice of these specific targets signals to us that the perpetrators of these criminal deeds were clearly motivated by religious bigotry and hatred of Christians. Moreover, we note that this is not the first such attack upon this cemetery, but part of a repeating pattern of attacks against Christian sacred sites and cemeteries on Mt. Zion and elsewhere that have been on the rise over the past decade.*

*As we have done multiple times in the past with similar such atrocities, we condemn these terroristic acts against the Protestant Cemetery and call for the concerned authorities to tirelessly pursue, apprehend, and prosecute the perpetrators of these crimes to the fullest extent of the law, including those laws pertaining to hate crimes.” (Jerusalem-Patriarchate, 2023)*



255. On 26 January 2023, a group of Israeli settlers carried out a violent attack against Christians and their properties at New Gate area in Jerusalem’s Old City. Jerusalem Greek orthodox patriarchate issued a statement in which it affirmed that *“allowing members of such radical groups to freely march and roam around the neighborhoods of Jerusalem while armed and having declared criminal intentions, is considered as complicit in the attack and displays unwelcomed leniency with the criminals”* (Jerusalem-patriarchate, 2023).



(Twitter, 2023)

256. 28 January 2023, a group of Israeli settlers attacked an Armenian priest near the Holy Sepulchre Basilica

257. On 19 March 2023, two Israeli settlers broke into the Gethsemane Orthodox Church in Jerusalem and tried to sabotage the content inside the church, but were confronted and foiled by a Palestinian man who was present at the church.

258. As mentioned above, on 2 February 2023, three settlers stormed the Church of the Condemnation at Via Dolorosa, smashed a statute of the condemned Jesus and attempted to set the church on fire.

## **II. Latest official incitement against Christians**

259. On 21 March 2023, two Israeli Knesset Members, Moshe Gafni and Yaakov Asher of United Torah Judaism party, proposed a bill that would ban efforts to speak about Christianity.

## **III. 2024 Threats to co-existence, assaults and restrictions on Christians freedom of worship and presence**

260. January 6, Old City, in between Damascus Gate and Station III Via Dolorosa, a Franciscan friar, identifiable by his religious habit, was walking toward the third station of the Via Dolorosa, approaching from Damascus Gate. During his walk, he encountered a group of young ultra-Orthodox teenagers. One of them inquired whether he was a Christian, to which he affirmed. In response, several members of the group began spitting conspicuously on the ground. After the friar had walked approximately five meters beyond the group, they proceeded to shout blasphemies directed at the name of Jesus.

261. February 3, Old City, Zion Gate, Father Nikodemus Schnabel, the Abbott of the Dormition Abbey was walking near Zion Gate with a guest. He was dressed in a monk's robe and wearing a cross necklace. During their walk, a young religious Jewish man approached Father Nikodemus, cursed at him, and spat on him. The same individual then tried to prevent the priest from taking a photograph. Another religious Jewish man directed an offensive comment at Father Nikodemus, saying, "F\*\*\* Jesus."

262. February 29, Old City, Christian Quarter, a boy on a school trip, wearing a *kippah* and identified as an American Jew, spat on a woman upon hearing her speaking Italian on the phone and assuming she was a Christian. When the woman approached the group's teacher to address the incident, the teacher ignored her.

263. March 3, Old City, Christian Quarter, a procession of Armenian priests was making its way from the Church of the Holy Sepulchre to the Armenian Quarter, as the procession passed through David Street, an ultra-Orthodox man, approximately 50 years old, spat on the ground behind the clergy.

264. March 4, Old City, Jewish Quarter a foreigner who volunteered at store in the Jewish Quarter of the Old City suffered repeated attacks by Haredi individuals. On one occasion, they

broke into the shop, pepper sprayed and punched him in the face. Then, a group of Haredi children arrived and began barricading the door to the shop. In the days that followed, the volunteer was spat on from the synagogue located above the store and had liquids poured on him while opening the shop door. The volunteer was essentially forced April 28, Old City, Armenian Quarter. As the Armenian priests returned from the Church of the Holy Sepulcher to the Armenian Patriarchate, three ultra-Orthodox individuals passed by outside. Two of them spat on the ground in front of the Patriarchate. The attackers repeatedly showed up during business hours, calling the volunteer a "missionary," which negatively affected the business. Some of the assailants would even walk by and display knives. The volunteer lived in the Jewish Quarter, and was also attacked multiple times for being a Christian.

265. March 28, Old City, Mount Zion, during Holy Week before Latin Catholic Easter, a Jewish man entered the Cenacle prior to the beginning of the traditional foot-washing ceremony. He attempted to disrupt the service, but a policeman was called, and the man was escorted out before the ceremony began.

266. April 9, Old City, Jewish Quarter, an unauthorized sign has been installed, seemingly by activists who have placed similar signs in other parts of the Quarter. This sign makes problematic comparisons between Crusader violence and the actions of Nazis and Hamas, even referencing the October 7 violence with an emphasis on religious identity. The incident likely occurred as a response to the ongoing renovation in the Cardo area of the Jewish Quarter, focusing on the section from the Crusader period under the theme "1,500 Years of Commercial History." While previous unauthorized signs were successfully removed with the municipality's cooperation, this particular sign's depiction of Crusader violence—without proper historical context—is offensive to Christians and misrepresents the historical narrative.

267. April 27, Old City, Armenian Quarter. On Saturday afternoon during Passover, a procession of Armenians was on his way returning to the Patriarchate. At the corner of St. James Street and Armenian Patriarchate Street, a Jewish man wearing a kippah shouted offensive remarks, including 'Jesus is gay' and 'Jesus is a whore.' The policeman present at the scene intervened and moved him away.

268. April 28, Old City, Jaffa Gate, as a procession of Armenian priests made its way from the Church of the Holy Sepulchre back to the Armenian Patriarchate, an ultra-Orthodox boy, around

14 years old, spat in the direction of the procession near Omar Khattab Square, close to the railing at the entrance to the Tower of David. The policeman accompanying the procession intervened and removed the boy.

269. April 30, Old City, Via Dolorosa, a Jewish individual spat at a Via Crucis procession organized by a community from the Galilee.

270. April 30, Old City, Jaffa Gate, the same community that had traveled to Jerusalem from the Galilee to pray in Jerusalem was harassed by three young boys, who spat in the direction of a priest within their group.

271. April 30, Old City, Armenian Quarter, as a procession of Armenian priests made its way back to the Patriarchate from the Church of the Holy Sepulchre, a religious man spat at them three times. When asked for an explanation, he refused to respond.

272. April 30, Armenian Quarter, a Jewish boy was standing in the street when the procession of Armenian priests passed by on their way to the Armenian Patriarchate. As they moved past, he walked in the opposite direction while spitting.





Ultra-Orthodox Jews spitting on the ground beside a procession of foreign Christian worshippers. Photograph:

Twitter<sup>247</sup>

273. May 31, East Jerusalem, while a member of the clergy was running, two Haredi children, likely around 8-9 years old, passed him on scooters and spat at him. This incident occurred in the upper part of Nahal Tsofim Park.

274. June 1, Old City, Station III Via Dolorosa, a Franciscan friar was harassed and spat at by several young Haredi Jews.

275. June 5, Christian Quarter, a Capuchin Franciscan friar reported that on Jerusalem Day, while walking just past Jaffa Gate, two boys spat in his direction. Ironically, he told them, "Well done," and walked away. Later that same day, as he was walking down the street in the Christian Quarter, a group of yeshiva students, accompanied by adults and a policeman, was singing and dancing. As he passed the group, three of them noticed his religious habit and spat on him. He asked the police officer who was present at the scene if he had noticed what had happened and to intervene, but the officer did not take any action.

276. June 9, Old City, Mount Zion, during the Jewish holiday of Shavuot, a group of 11 pilgrims and priests attempted to visit the site of King David's Tomb. They were advised to arrive without robes and crosses, but despite this, they were met by a group of about 50 religious Jewish students on a school trip, accompanied by their teachers, who cursed at them and shouted obscenities. The pilgrims then tried to approach the site via a different route, but once again encountered Jewish individuals who shouted at them and used abusive language. Ultimately, the group decided to abandon their visit to King David's Tomb.

277. June 13, Old City, Jewish Quarter, Ultra-Orthodox young men spat at and cursed an 80-year-old Franciscan nun who was walking in the Jewish Quarter.

278. June 22, Old City, Mount Zion area, a group of Greek Orthodox pilgrims stood outside of the compound of King David's Tomb on Mount Zion, when a crowd of young Jews shouted at them "Go away" till the pilgrims left.

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<sup>247</sup> <https://www.theguardian.com/world/2023/oct/03/video-of-ultra-orthodox-jews-spitting-by-christians-in-jerusalem-sparks-outrage> ; <https://www.youtube.com/watch?v=kRgucel4h1Q> , <https://www.timesofisrael.com/5-arrested-for-spitting-at-christians-in-jerusalem-police-minister-its-not-criminal/> (access to links: 5May2025)

279. June 23, Old City, Armenian Quarter, an Orthodox Jew spat in front of an Armenian priest walking in the Armenian Quarter. Another Jew cursed the priest, telling him to "get out of here."

280. June 24, Old City, Mount Zion area, while entering the Greek Garden, an area adjacent to the Greek Orthodox monastery on Mount Zion, a Jewish man shouted at a procession of Orthodox Christians, "Go back to Europe. May your name perish," and spat.

281. June 24, Old City, Mount Zion area, a group of Jewish pupils arrived at the Greek Garden park on Mount Zion, just as a procession of Greek Orthodox Christians was returning to their seminary, to which the park belongs. One pupil spat in the direction of the procession, but the teachers refused to speak with the Hotline volunteer who witnessed the incident.

282. July 8, Old City, Christian Quarter, a Christian woman and her husband were walking on St. Francis Street near the entrance to St. Saviour Church when they saw three Jewish men spitting on the statue of the Holy Mary situated in front of the church. Two of the men appeared to be about 20 years old, while the third man was in his sixties. They were wearing colorful kippot and tefillin, and the woman described them as "settlers." After spitting on the statue, the men also spat on the floor inside a gym on the same side of the street, whose door was open. Noticing that the woman and her husband were staring at them, the men began laughing and insulted them by saying "death to Arabs" before walking away. The woman alerted the owner of the gym, who said they would check the security camera footage.

283. July 13 Old City, Armenian Quarter, at 23:00, as the restaurant called the "Armenian Tavern" was about to close, only a few people remained. Suddenly, two young men entered the restaurant with a loudspeaker playing loud music. One appeared to be a hilltop youth with wild sideburns and a large kippah, and the other was dressed in ultra-Orthodox attire with a white shirt and black pants. They tried to push their way into the restaurant, and when one employee tried to block their way, they shouted, "Don't touch me," and cursed. One of them also tried to reach the kitchen. They continued to shout and curse about Arabs, saying, "We'll burn this place down." The owner tried to push them back out of the restaurant with the help of an employee, but the two shouted that they wouldn't go up the stairs until the owner and the employee backed off. The restaurant's owner didn't want to confront them, so they started to go up, and on the way, they grabbed a stack of chairs that were on the stairs near the entrance door and threw them down, breaking the chairs and causing the employee who tried to go up the stairs to fall. Before leaving,

they broke an antique vase worth several thousand shekels. The owner and the employee tried to chase after them, but the chairs on the stairs blocked their way.

284. July 13, Old City, Mount Zion, a Franciscan friar living at the monastery on Mount Zion was harassed by an Orthodox Jewish teenager, approximately 14 years old. The friar was standing outside the main door of the monastery with two suitcases when the boy grabbed the smaller one. Upon noticing this, the friar rushed to chase the boy, who dropped the suitcase and ran toward the Cenacle, only to return moments later. The teenager then started making violent gestures and cursing at the friar. When the friar took out his mobile phone to record the incident, the teenager fled and did not return. The entire event was captured on camera, and the video was submitted to the community police responsible for the Mount Zion area. On August 30, a letter was received from the police stating that since no suspects were found, the case was closed. The attorney representing the Franciscan Custodia was updated.

285. July 19, Old City, Armenian Quarter, at 22:00, a young man with an ultra-Orthodox appearance - dressed in a black and white tank top, black pants, a black kippah, and side curls - walked down the street near the Armenian Tavern restaurant. His Ethiopian Christians walking in the Christian Quarter of the Old City attire was unusual for a Shabbat evening. As he passed by the restaurant, he discreetly sprayed its entrance with pepper spray, holding the canister behind his back. He took three steps forward, then turned back, sprayed again, and continued walking. Inside, diners began choking and gasping from the gas, forcing them to rush outside, coughing. Six tourists emerged in tears, and the restaurant became uninhabitable. The attacker appeared to have planned the assault, carrying pepper spray— raising the question, why did he have it in the first place? His method was calculated: he sprayed discreetly and walked away before the gas took effect. He targeted the restaurant's only entrance, which is located below street level, ensuring the attack had maximum impact. The restaurant's owner immediately called the police, who arrived promptly and began searching the area. After closing, the owner went to the police station to provide details and hand over video evidence. While there, someone announced that a suspect had been found and the owner of the Armenian Tavern asked to see him, but the officers refused, even though in a previous case, they had offered to conduct a lineup.

286. July 19, Old City, Christian Quarter, an Armenian priest was on his way to a meeting called by the heads of the Churches Senator Chris Van Hollen, a member of the U.S. Senate Committee

on Foreign Relations at the Greek Orthodox Patriarchate. Near Jaffa Gate, the priest was spat by a Jewish man who shouted that Jerusalem must be cleansed of Christians. The priest chose not to file a police complaint, believing it would be futile, as such attacks are frequent.

287. July 20, Old City, Station II Via Dolorosa. A group of religious Jews was walking along Via Dolorosa Street. As they passed in front of the Church of the Flagellation, they began spitting and making deliberate spitting noises. One of them said, "Christians should be killed."

288. August 8, near the New Gate of the Old City, four nuns were walking in pairs towards Notre Dame, right before the gate of St. Louis hospital, two people with ultra-Orthodox appearance passed by them. One of them spat at them. The nuns felt humiliated and frightened, and they did not make it to take a picture of the suspects.

289. August 10, near the New Gate of the Old City of Jerusalem, two nuns were driving and stopped at the traffic light on the corner of Shivtei Israel and HaNeviim Streets, waiting for the light to turn green. When the light changed and the car started moving, two Jewish kids threw stones at the car. One stone landed on the roof, while the other hit the window on the driver's side, which fortunately was closed; otherwise, the stone would have hit one of the nuns directly. The car was not damaged, and the sisters did not report the incident to the police, because they felt that they "only got a bit scared."

290. September 13, Christian Quarter, a Catholic nun was walking in the Christian Quarter when a young religious Jewish man spat on her dress. Following him, a woman also spat at her.

291. September 15, near the New Gate of the Old City, a foreign Christian got spat at the bus station on HaNeviim Street near the Swedish Theological Institute.

292. September 22, Old City, an Armenian procession of priests, monks, and seminarians walked towards the Armenian Patriarchate. A few religious nationalist Jews were standing in front of the David District police station. A young man wearing a kippah and with side curls spat on the ground after the procession passed and stepped on the spit, twisting his foot as if crushing it.

293. October 17, near Jaffa Gate of the Old City, a Capuchin friar was walking through the park near Yemin Moshe, when two Jewish teenagers spat at him. He did not have the time to take out the phone to capture the moment, and did not have a verbal interaction with them.

294. October 19, near the New Gate of the Old City, three Catholic nuns were standing on HaNeviim Street when a few Jewish individuals walking down the street stumbled and began shouting and cursing. One of them approached the nuns and spat at them rudely. The nuns were frightened because one of the individuals in the group was carrying a weapon.

295. October 20, Old City, Christian Quarter, two Armenian priests were walking in the morning from the Church of the Holy Sepulcher when a couple of religious youngsters, sitting on the stairs of the David's Tower Museum, began "clearing their throats" and spitting on the ground. The priests felt intimidated.

296. October 22, Old City, Armenian Quarter, three national religious Jewish young men spat towards a monk who passed nearby.

297. October 30, near the New Gate of the Old City, a woman who regularly collects money in the market has repeatedly verbally harassed some Russian nuns while they run their errands at the market.

298. November 26, Old City, Armenian Quarter, an Armenian deacon was approached by a religious Jew who was singing a verse from Psalms. Upon seeing the deacon in his clerical attire, harsh words were directed towards Jesus and Christianity. While attempts were made to quiet him, the man continued to speak louder and more provocatively. The situation escalated into mutual pushing, and the police intervened.

299. November 30, Old City, Jaffa Gate, a woman was walking down the street from Jaffa Gate in the company of another adult and three children, when two women spat on her.

300. December 19, Old City, Armenian Quarter, an Armenian priest and seminarians were walking from the Armenian Patriarchate to the building hosting the seminary when two young men dressed as Orthodox Jews spat at them.

301. On 15 April 2023, Israeli occupation police hinder Christians' access to Holy Sepulcher church during Holy Fire Saturday by blocking the entrances to the Old City. They also physically assaulted many pilgrims and targeted Coptic Orthodox priests in front of the Church of the Holy Sepulcher.

302. A week ahead of the ceremony, Israeli occupation forces decided to limit the number of people who can be at the church to around 2000, including police officers, attributing the restriction



to the advice of a so-called church-affiliated safety engineer; a claim that was denied by the Greek Orthodox Patriarchate in Jerusalem:

*“The statements issued by the Israeli police, yesterday and today, in regards to the Holy Light Ceremony, are incorrect. They are a complete misrepresentation of the facts and of our clearly stated position.*

*Attributing the restrictions, imposed by the Police on the Holy Light Ceremony, to the advice of a so-called church-affiliated safety engineer is categorically misguided and false. This engineer was not commissioned or authorised to produce any report on this matter. Furthermore, once these claimed opinion letters came to light, it quickly transpired that this engineer previously stated very different figures regarding safe worship at the Holy Light Ceremony, but he then changed his report upon request from the Israeli Police so that it was brought in line with their restrictions, and thereafter retrospectively re-affirmed previous figures yet again. This, unfortunately, proves a conflict of interest and lack of good faith professionalism on his part, and loss of confidence in his opinions. Such discrepancies and differences cannot serve as an authority on a matter as important as this.*

*Once the fact of him having produced such a claimed opinion was disclosed, the Patriarchate through it's legal representatives, sent an official written notification on the 10 April 2023 to the Police rejecting any and all such opinions and any reliance on them.*

*With this clarified, we again reaffirm our official position through the two statements produced on 09 April and 12 April 2023. We look forward to celebrating the Holy Light Ceremony and the Resurrection of our Lord and Saviour Jesus Christ with faithful worshipers and pilgrims from near and far, as we have safely done so for nearly two millennia.”*



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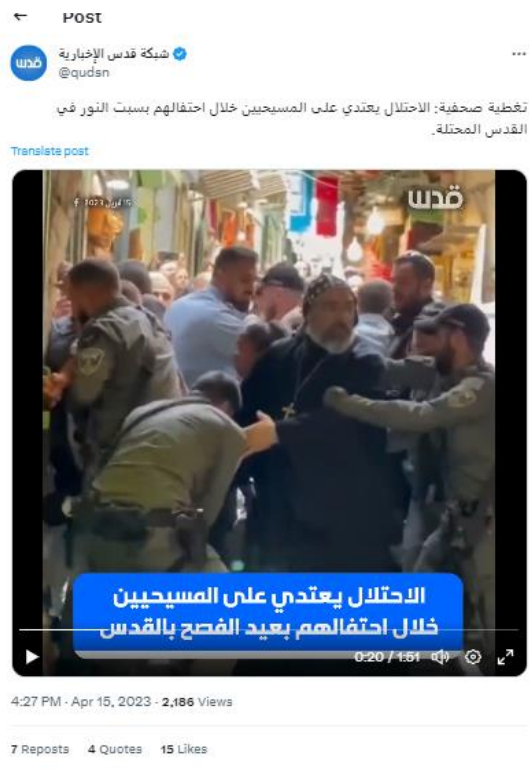


Israeli security forces attacked Orthodox Christians who wanted to attend Holy Fire ceremony at Church of Holy Sepulchre in occupied East Jerusalem [v.aa.com.tr/2873155](https://v.aa.com.tr/2873155)



5:36 PM · Apr 15, 2023





303. On 11 April, 2023, The Israeli authorities have announced the revocation of the travel permits already issued to Palestinian Christians in the Gaza Strip to celebrate their religious rites in Jerusalem holy sites during the Easter holidays.

304. According to the US Department of State 2022 Report on International Religious Freedom: Israel, West Bank and Gaza, “*Christian clergy and pilgrims continued to report instances of ultra-Orthodox Jews in Jerusalem harassing or spitting on them. Church leaders in the Old City of Jerusalem reported Israeli police did not intervene when their processions faced verbal harassment from Israelis and that they did not observe any results from police on reported incidents of verbal or physical assault.*”

#### IV. Latest Appropriations of Church Properties

305. On 27 December 2022, members of Elad settlers organization took over a property in the area of Wadi Hilweh in Silwan, near the historically significant pool of Silwan (Pool of Siloam), which has been rented for decades by the Greek Orthodox Patriarchate to a Jerusalem tenant. The settler takeover is not exclusively a settler initiative. In a press release touting the commencement of excavations on the site, this is being presented as a joint venture between the Elad settlers, the Israel National Parks Authority (INPA),

and the Antiquities Authority (IAA). This action was criticised by the EU missions in Jerusalem and Ramallah, which considered that:

*“Attempts to take over the property of Christian Churches must be halted, as they pose a serious threat to the peaceful coexistence of all three monotheistic religions in Jerusalem.*

*The EU calls to protect the Status Quo and the Holy Sites, including Christian ones. The special status and character of Jerusalem and its Old City must be preserved and respected by all”<sup>248</sup>.*

306. On 7 July 2020, Israeli Supreme Court upheld a lower court’s decision not to block the transfer of rights to the three Jaffa Gate properties (imperial hotel, Petra hotel and a third property in the Christian Quarter) to the far right-wing Jewish group, Ateret Cohanim. The decision deals a final blow to the Greek Orthodox Patriarchate’s efforts to fight a 2004 sale of leases for three properties. In a joint statement, the Patriarchs and Heads of Churches in Jerusalem made the following remarks:

*“We don't see this case as a mere property dispute. We see the undertaking of radical groups to take control of properties at Jaffa Gate as a systematic attempt to undermine the integrity of the Holy City, to obstruct the Christian pilgrim route and to weaken the Christian presence in Jerusalem.”*

307. On October 26, 2023 the leader of the Armenian Patriarchate of Jerusalem announced it would cancel a once-secret 2021 land deal leasing a land in the Armenian Quarter known as “Cows’ Garden” [makes up 25% of the Armenian Quarter] to a company that has links to settlers. Since then, representatives from the company, Xana Gardens, have sent contractors, armed settlers and bulldozers to seize the land; leading to confrontations between Armenian protestors and armed settlers. The Armenian patriarchate issued a statement (Nov.16) stating that the “patriarchate is under possibly the greatest existential threat of its 16-century history.”

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<sup>248</sup> Office of the European Union Representative (West Bank and Gaza Strip, UNRWA), *Local EU Statement on the situation of Christian properties in East Jerusalem* (30 December 2022)

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CHANCELLERY  
ARMENIAN PATRIARCHATE OF  
JERUSALEM

Քաղաքի: .....  
Date: .....16 November 2023.....

### **URGENT COMMUNIQUE**

**ATTENTION ALL:** The Armenian Patriarchate of Jerusalem is under possibly the greatest existential threat of its 16-century history. This existential-territorial threat fully extends to all the Christian communities of Jerusalem.

The Armenian Patriarchate has recently cancelled a contract tainted with false representation, undue influence, and unlawful benefits.

Instead of providing a lawful response to the cancellation, the developers attempting to build on the Cow's Garden have completely disregarded the legal posture of the Patriarchate toward this issue, and instead have elected for provocation, aggression, and other harassing, incendiary tactics including destruction of property, the hiring of heavily armed provocateurs, and other instigation.

In recent days, the vast destruction and removal of asphalt on the grounds of the Armenian Quarter has been done without the presentation of permits from the municipality by neither the developer nor the police. Despite this fact, the police have chosen in the last few days to demand that all members of the Armenian Community vacate the premises.

We plead with the entirety of the Christian communities of Jerusalem to stand with the Armenian Patriarchate in these unprecedented times as this is another clear step taken toward the endangerment of the Christian presence in Jerusalem and the Holy Land.



**DIVAN OF THE ARMENIAN PATRIARCHATE**

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Email: [ampatdivan@yahoo.com](mailto:ampatdivan@yahoo.com)





(The photograph above (left) shows the statement release by the Armenian patriarchate, on November 16<sup>th</sup>, 2023, on violent attacks targeting its community)

(The photograph above (right) shows a settler attack against Armenian clergymen and community at the Cow's Garden land, on December 28<sup>th</sup>, 2023)

## V. Statements /Appeals by Churches in the Holy Land

308. In 1996, the local churches in Jerusalem came up with a statement on the local church vision on Jerusalem that insisted on the Christian character of Jerusalem, and on the importance

of the Christian presence there, and that set out the requirements for a just and durable solution for the Jerusalem question. This was confirmed again in 2006 <sup>249</sup>

309. July 17, 2000, during the 2000 Camp David summit, and while Israeli and Palestinian officials were negotiating on Jerusalem, the Heads of Churches issued a statement pointing out that the Holy City of Jerusalem had its owners, and that the Patriarchs and Heads of Churches should be engaged in any future arrangements, especially for the Old City of Jerusalem. <sup>250</sup>

310. April 2016 summit statement in “Pursuing Peace and Strengthening Presence: The Atlanta Summit of Churches in the USA and the Holy Land”. The Carter Center. <sup>251</sup>. The statement stressed the importance of Jerusalem to the three monotheistic religions, and the need for freedom and equality for all. It also stressed the importance of the Christian and Armenian Quarters as inseparable and contiguous entities firmly rooted in the same faith. Over 100 participants, dignitaries and church leaders from Jerusalem and the US signed the Atlanta document on advocating peace in the Holy Land.

311. Joint statement from the Patriarchs and Heads of Local Churches in Jerusalem in July 2017. The statement related to concerns regarding breaches of the Status Quo that governs the holy sites and the united opposition of Heads of Churches to any action by any authority or group that undermines those laws, agreements, and regulations. <sup>252</sup>

312. Church statement 2018 on imposed taxation on Churches <sup>253</sup>. Church leaders in Jerusalem had shut the Church of the Holy Sepulchre on Sunday in protest at a new Israeli tax policy and a

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<sup>249</sup> <https://www.oikoumene.org/resources/documents/status-of-jerusalem-patriarchs-and-heads-of-the-local-christian-churches-in-jerusalem-2006>

<sup>250</sup> The statement also stressed the importance of Jerusalem to the three monotheistic religions, and the need for freedom and equality for all. It also stressed the importance of the Christian and Armenian Quarters as inseparable and contiguous entities firmly rooted in the same faith. See, <http://www.com/lpj.org/nonviolence/patriarch/.html>. Accessed February 2, 2021. Letter of the Patriarchs of Jerusalem to Camp David Summit, July 17, 2000.

<sup>251</sup> Over 100 participants, dignitaries and church leaders from Jerusalem and the US signed the The Atlanta document on in advocating peace in the Holy Land. 102.Summit Report (2016). Pursuing Peace and Strengthening Presence: The Atlanta Summit of Churches in the USA and the Holy Land. The Carter Center, Atlanta, GA April 19 to April 20, 2016.

<sup>252</sup> Specific reference was made to the “Jaffa Gate” case against the Greek Orthodox Patriarchate of Jerusalem, as well as to a proposed bill in the Knesset that is politically motivated and would restrict the rights of the Churches over their property. These actions were deemed a systematic attempt to undermine the integrity of the Holy City of Jerusalem and the Holy Land, and to weaken the Christian presence.

<sup>253</sup> Church leaders shut Jerusalem's Church of the Holy Sepulcher in land tax protest by Ori Lewis. <https://www.reuters.com/article/us-israel-palestinians-churches/jerusalems-church-of-the-holy-sepulchre-shut-in-land-policy-protest-idUSKCN1G90C0?feedType=RSS&feedName=worldNews>

proposed land expropriation law which they called an unprecedented attack on Christians in the Holy Land.

313. Statement by the Patriarchs and Heads of Local Churches to Donald Trump, on the status of the Holy City of Jerusalem 2020.<sup>254</sup> It reflected concerns by local churches pointing out that any alteration in Jerusalem will increase hatred, conflict, violence and suffering in Jerusalem and the Holy Land, moving farther from unity and deepening division, and that any sudden changes would cause irreparable harm. It stressed that Jerusalem should be shared by all.

314. May 7th 2020 - statement by the Patriarchates and Heads of the Holy Land Churches on Israeli unilateral annexation plans.<sup>255</sup>

315. September 1st, 2021, a letter signed by H.B. Theophilos III, Patriarch of Jerusalem, along with Father Francesco Patton, Custos of the Holy Land expressing objection and dismay for the Municipalities organization of irrelevant activities at one of the main entrances to the Christian quarter on the narrow street leading to our monasteries, religious and educational institutions. Furthermore, they objected, as sole owners of the properties on that specific street, that they were never approached for permission or coordination to hold such an event.

316. 13 December, 2021 appeal by the Heads of Churches in Jerusalem on settler violence. In a joint statement the Patriarchs and Heads of Churches of Jerusalem have expressed their profound concern for the violent events in East Jerusalem. It stated that “growing tension, backed mainly by right-wing radical groups, endangers the already fragile reality in and around Jerusalem.”

317. Greek Patriarchate’s speech in Bethlehem on Christmas eve 2022 mentioning assaults on Christians committed by Israeli radical groups “committing their crimes in a deliberate attempt to expel Christians from Jerusalem and other parts of the Holy Land”<sup>256</sup>

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<sup>254</sup> It reflected concerns by local churches pointing out that any alteration in Jerusalem will increase hatred, conflict, violence and suffering in Jerusalem and the Holy Land, moving farther from unity and deepening division, and that any sudden changes would cause irreparable harm. It stressed that Jerusalem should be shared by all.

<sup>255</sup> Statement pointed to the dangers of these plans and their detrimental effect on resolution of the Palestinian-Israeli conflict by exacerbating injustice and suffering. It called upon Israel to refrain from such acts and called upon the US, Russia and the EU to put forward a peace initiative with a set time frame based on previous UN resolutions and international law, while also calling upon Palestinians to unify and end their internal strife.

<sup>256</sup> See Greek Orthodox Patriarch Warns Christian Presence in Jerusalem Under Threat by Zionist Extremists. <https://Mondoweis.net/greek-orthodox> 13/01/2022

318. 18 February 2022 on concern and unequivocal objection by the Patriarchs for the designation and then subsequent declaration of large spaces of the Mount of Olives, in the Jerusalem, as National Park, warning that the plan's apparent sole purpose is to confiscate and nationalize one of the holiest sites for Christianity and alter its nature.

319. April 2nd 2022 statement by the Patriarchs and Heads of Local Churches of Jerusalem on the Illegal Seizure of the "Little Petra" Hotel in Jerusalem's Jaffa Gate by Israeli Extremist Group operating under Israeli police protection. The heads of Churches warned that the seizure of the hotel by the radical settler group Ateret Cohanim is a threat to the continued existence of a Christian Quarter in Jerusalem, and ultimately to peaceful coexistence of the communities of the city.

320. 2<sup>nd</sup> of April 2022, a joint statement by the Patriarchs and Heads of Churches of Jerusalem condemning recent violence and calling upon the governmental authorities to exercise policies of religious tolerance, restraint of force and de-escalation of conflict

321. April 12th 2022 statement by the Armenian Patriarchate of Jerusalem regarding Holy Fire Ceremony. The statement expressed serious concern about the restrictions imposed by the Israeli Police on the celebration of the ceremony of Holy Fire, in the Church of the Holy Sepulchre on Holy Saturday.

322. Statement in May by the various Patriarchates and heads of Churches on the assassination of Journalist Shireen Abu Akleh. The statement was made from the Saint Joseph's Hospital. The statement condemned "the violent intrusion of the Israeli Police into a funeral procession of the slain journalist Shireen Abu Akleh, as it was going from Saint Joseph Hospital to the Greek-Melkite Cathedral Church. The Police stormed into a Christian health institute, disrespecting the Church, disrespecting the health institute, disrespecting the memory of the deceased and forcing the pallbearers almost to drop the coffin".

323. May 18 The Episcopal Church in Jerusalem and the Middle East condemned a "flagrant" raid on the premises of its church in Ramallah, in the occupied West Bank and described the actions

of the Israeli occupation forces as “a violation of international law and a terroristic act against the entire community”.<sup>257</sup>

324. 27 Sep. 2022, a statement by the Patriarchs and Heads of Churches in Jerusalem in Support of HM King Abdullah II Following his Speech at the UN Assembly in NY. The statement stated that the heads of churches express our utmost gratitude and appreciation to His Majesty King Abdullah II of Jordan” for the warning he issued on the dangers facing the Christian presence in Jerusalem, and “applaud His Majesty’s public commitment to protect our communities’ historical and legal status quo, thus preserving our safety and future.”

325. 28 December 2022, [statement](#) by the Greek Orthodox Patriarchate<sup>258</sup> regarding settlers’ illegal takeover of church land in Silwan. The Patriarchate affirmed that this piece of land, known as the “red land” had been leased to the Sumrin family by the patriarchate since the beginning of the last century, and that the takeover is a clear encroachment on the Patriarchate’s properties in Jerusalem.

326. 4 Jan. 2023, [statement](#) by the Episcopal Church in Jerusalem and the Middle East<sup>259</sup> on the recent vandalism and desecration of the Protestant cemetery on Mt. Zion. The two vandals, both of whom were young males wearing kippahs and tallit katans, broke into the cemetery, where they purposefully and relentlessly smashed more than thirty gravestones.

327. 4 Jan.2023, a [statement](#) by the Patriarchs and Heads of Churches in Jerusalem<sup>260</sup> against the desecration of gravestones at the Protestant cemetery in Mount Zion condemned ”these terrorist acts” and called on Israeli authorities to hold the perpetrators accountable

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<sup>257</sup> <https://www.churchtimes.co.uk/articles/2022/26-august/news/world/diocese-condemns-israeli-raid-of-church-compound-in-ramallah>. The diocesan statement details how the door to the church complex was smashed, and the entire building — including the sanctuary and rectory — occupied for two hours. “The sound of gunshots, stun grenades, and the smashing of doors caused terror among the families living inside the compound,” The diocese of Jerusalem asserts: “Places of worship and church compounds should be sanctuaries for communities to feel safe to practice their faith and ministry.” It is calling for a “speedy and impartial investigation into this incident, followed by serious disciplinary action against the offenders”.”

<sup>258</sup> Available at : <https://en.jerusalem-patriarchate.info/blog/2022/12/28/a-statement-by-the-greek-orthodox-patriarchate-of-jerusalem-regarding-the-illegal-take-over-of-church-land-in-silwan-by-an-israeli-radical-group/>

<sup>259</sup> Available at : <https://j-diocese.org/wordpress/2023/01/04/statement-on-the-recent-vandalism-and-desecration-of-the-protestant-cemetery-on-mt-zion-4-january-2023/>

<sup>260</sup> Available at : <https://en.jerusalem-patriarchate.info/blog/2023/01/04/destruction-of-graves-of-the-anglican-church-cemetery-on-holy-zion-hill/>



328. 4 Jan.2023, [statement](#) by the World Council of Churches<sup>261</sup> on settlers attacks against Protestant cemetery in Mount Zion. The WCC stated that the attack “was perpetrated by vandals who were evidently motivated by religious bigotry and hatred and took place in broad daylight”.

329. 9 Jan.2023, Pope Francis calls for maintaining the Status Quo in Jerusalem<sup>262</sup> During his annual meeting with the accredited diplomatic corps, the Pope expressed his full confidence that Jerusalem would become a place and symbol for encounter, fraternity, practicing worship, and prayer freely and peacefully in the holy places, based on the continuity and guarantee of preserving the historical and legal status quo of the holy sites.

330. 27 Jan, [statement](#) the Assembly of the Catholic Ordinaries of the Holy Land against settlers attacks against tourists and store keepers at the New Gate. A group of settlers swarmed a restaurant at the New Gate in the Christian Quarter of Jerusalem. CCTV footage shows the group carrying banners and throwing chairs violently toward the restaurant and those seated inside. The Assembly stated that “This unprovoked violence instilled fear in the shopkeepers and residents of the Christian quarter as well as visitors,” the bishops said, calling the incident the latest in “a series of episodes of religious violence that is affecting the symbols of the Christian community and beyond.”

331. 27 Jan, [statement](#) by the Greek Orthodox Patriarchate in Jerusalem against settlers’ attacks against tourists and store keeps at the New Gate. The patriarchate called for protection to be provided to the residents of the old city against these extremists, who are attempting to change the character of the old city of Jerusalem.

332. 21 March, [statement](#) by the Armenian Patriarchate condemning settlers’ attack against St. Mary’s Church. Two Israeli settlers assaulted clerics and worshippers praying at the church. The Jerusalem Governorate said the settlers stormed the Church of the Tomb of the Virgin Mary and attempted to vandalize it, while hurling abusive remarks.

333. 19 March, [statement](#) by the Greek Patriarchate condemning “the heinous terrorist attack (...) at the hands of two Israeli radicals, which targeted the Church of Gethsemane in Jerusalem.” The church in question is under the joint control of the Armenian and Greek Orthodox Churches.

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<sup>261</sup> Available at: [WCC statement on desecration of historic Protestant cemetery in Jerusalem | World Council of Churches \(oikoumene.org\)](https://www.wcc-ord.org/en/press/2023/01/04/wcc-statement-on-deseccration-of-historic-protestant-cemetery-in-jerusalem)

<sup>262</sup> Available at : <https://www.hcc.ps/archives/9006>

334. 21 March, World Council of Churches general secretary Jerry Pillay in a [statement](#) condemned an attack by settlers against the Church of Gethsemane (Virgin Mary). He stated that “This terrible attack – which appears to have purposely targeted religious leaders – is an egregious violation of international law.”

335. 29 March, Churches for Middle East [statement](#) “Churches for Middle East Peace Process Joins US Christians Faith Leaders to Show Support for Christian Community in Jerusalem after attack at the Church of Gethsemane in East Jerusalem”. The letter stated that “the International community, including the U.S. government, must do everything in their power to ensure Jerusalem is a city in which freedom of religion and free access to worship for all are strengthened and respected.”

336. 12 April, [statement](#) by the Status Quo Committee of the Churches in regards to unreasonable restrictions by the Israeli police for the Holy Light Saturday. The statement noted that This ceremony has been faithfully taking place in the Church of the Holy Sepulchre for nearly 2,000 years. The statement noted that the Israeli occupation forces are “enforcing unreasonable, and unprecedented restrictions on access to the Holy Sepulchre” and that “These heavy-handed restrictions will limit access to the Church of the Holy Sepulchre and the Holy Light Ceremony.”

337. 12 April, [statement](#) by the World Council of Churches in regards to Israeli restrictions during Easter particularly during the Holy Fire Saturday ” WCC calls for freedom of access to worship in the Holy Land and preservation of the Status Quo of Jerusalem”

338. 14 April, [statement](#) by the Greek Orthodox patriarchate ”Holy Light Ceremony- Response to the Statement by the Israeli Police.” The statement noted that “attributing the restrictions, imposed by the police on the Holy Light Ceremony, to the advice of a so-called church-affiliated safety engineer is categorically misguided and false. This engineer was not commissioned or authorized to produce any report on this matter.” Furthermore, once these claimed opinion letters came to light, it quickly transpired that this engineer previously stated very different figures regarding safe worship at the Holy Light Ceremony, but he then changed his report upon request from the Israeli Police so that it was brought in line with their restrictions.

339. 18 November 2023, statement by the Patriarchs and Heads of Churches In Jerusalem on the canceled contract to develop a considerable portion of the Armenian Quarter, which could endanger the Armenian presence in Jerusalem. The Church noted that “the alleged developers have

decided to hire armed provocateurs, obstruct parking entrances, and begin demolition work. We are worried that these events potentially endanger the Armenian presence in Jerusalem, as they set a precedent for similar engagements”

340. 28 December, 2023, statement by the Armenian Patriarchate of Jerusalem on the Massive and Coordinated Physical Attack that was Launched on Bishops, Priests, Deacons, Seminarians, and Other Armenian Community Members in Jerusalem. The statement noted that ““This is the criminal response we have received for the submission of a lawsuit to the District Court of Jerusalem for the Cow’s Garden, which was officially received by the Court less than 24 hours ago. This is how the Australian-Israeli businessman Danny Rothman (Rubenstein) and George Warwar (Hadad) react to legal procedures,” the Patriarchate said.”

341. 4 February 2024, statement by Latin Patriarchate of Jerusalem condemning the “unprovoked and shameful” attack on Abbot Nikodemus Schnabel. The abbot was attacked by two young Jewish nationalists. The incident occurred near the Zion Gate on the border between the Armenian and Jewish quarters. A minor and an individual approximately 20 years old spat on the priest and verbally attacked him, shouting insults against Jesus.

## CHAPTER FOUR

### ISRAELI VIOLATIONS OF JERUSALEM OLD CITY'S HERITAGE

#### **I. Shalem Plan – Judaization of Old City's Environs (Phase 2)**

342. On 25 August, 2022, Israeli NGO Emek Shaveh issued a report under the title “biannual Summer of Development” in which it discussed, the Israeli government announced a decision to finance the second stage of the “Shalem Plan” to the sum of 16 million NIS over the next year-and-a-half. This is the second phase of the Plan initially announced in 2017 and budgeted in 2018 for the development of ancient Jerusalem to “thereby enhance Jerusalem’s status as an international city of faith, heritage, culture and tourism.” According to Emek Shaveh “In essence this is a political decision to continue to finance the Elad Foundation’s archaeological-touristic settlement while subserving the Israel Antiquities Authority to its private ideological needs. The series of projects in both phases of the plan are designed to change the demographic and historic character of East Jerusalem in general, and the Historic Basin in particular.”

343. The first stage of the Shalem Plan enabled the IAA’s extremely problematic horizontal excavation of the Stepped Street (dubbed the “Pilgrim’s Road”) which entailed excavating under the homes of Palestinian residents of Silwan. One of the objectives of the tunnel is to link the City of David with tourist sites inside the Old City that are associated with Jewish history, thus reshaping the prism through which tourists understand the past of the city.

344. The second phase of the Shalem Plan will fund the development of new sites in the Historic Basin and a network of paths between sites run by the Elad Foundation, linking Silwan with the Hinnom Valley, the Kadron, and Abu Thor and Jabal Al-Mukaber neighborhoods. Together with the cable car greenlighted in May by the High Court, these developments will completely change the landscape and the authentic history of Jerusalem. Instead of a diverse multicultural historic city, Jerusalem will now be rebranded, as a city with a predominantly Judaic and Jewish past.

#### **II. Latest Developments at Burag/Western Wall Plaza**

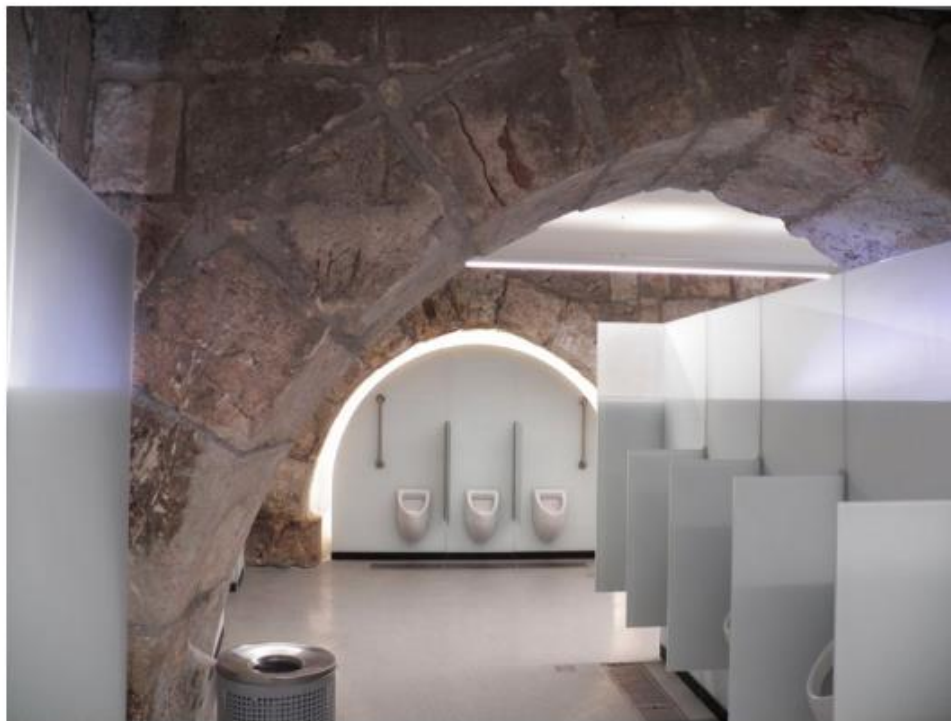
345. In May 2020, the Israeli IAA announced that a singular two-millennia-old subterranean system of three rooms has been uncovered near the Western Wall. “The rooms, uncovered by

students of a pre-military preparatory program in Jerusalem working in cooperation with the IAA, are located under the “Beit Strauss” complex, a historical ancient building, which was once a soup kitchen and today houses beautiful public toilets and serves as an entrance lobby to the Western Wall Tunnels.

346. The underground excavations there were renewed in 2019 under the recently renovated and enlarged Beit Strauss building to connect the building to a new segment of the Western Wall Heritage Foundation’s Western Wall Tunnels tour.

347. It’s worth noting that “Beit Strauss” complex, is a historical ancient building , which was once a soup kitchen and after Judaization it was transformed into a facility that houses public toilets and serves as an entrance lobby to the Western Wall Tunnels.

As far as we are aware, Beit Strauss is the only place in the world where following an archaeological excavation and conservation, all the preserved antiquities are located in active toilets.



Antiquities in Beit Strauss Toilets at Al-Buraq Wall Plaza Area





Excavations at the Western Wall Plaza



Use of heavy machinery at Al-Buraq Plaza

### III. The Cable Car Project

348. In 2024, the Israeli authorities intensified their Judaization activities at the Buraq Plaza. Excavations south of the Mughrabi Gate Bridge have persisted, with the occupation aiming to establish a prayer space for Jewish women and “Reform” Jews to perform their rituals. Additionally, on the western side of the plaza, deep and extensive excavations continued under the "Beit Haliba" project, expected to consist of at least three floors and potentially connect with the "Beit Strauss" project a few meters away. Excavation work also resumed in the center of the Buraq Plaza, further threatening Islamic heritage in the area.

349. Moreover, Israeli authorities have begun constructing an **elevator complex** adjacent to the Buraq Wall Plaza. The structure aims to bridge a 26-meter vertical gap between the Jewish Quarter

and Buraq Plaza, enabling easier settler access to Al-Aqsa. The project includes a 65-meter horizontal tunnel and shopping and seating areas and follows seven years of illegal excavations that have severely damaged important Islamic relics. This work is being carried out on Islamic Waqf land, raising further concerns about violations of international law

350. On 15 May 2022, the Israeli High Court of Justice ruled that the plan to build a cable car in Jerusalem's historic core can go ahead thus bringing to an end a three-year legal battle over one of the most controversial projects that has ever seen the light of day.

351. The plan was approved despite original reservations by the court in reference to the highly irregular planning process and to the hundreds of objections by architects and planners from Israel and abroad who have criticized the plan as extremely destructive to the historic city and its multicultural character. In its decision, the court has proved once again that it is a political actor and that it is willing to ignore the importance of due process and the public interest to approve a plan that will cause irreversible damage to one of the most sensitive sites in the world and a unique World Heritage Site. Despite legal challenges and widespread opposition, the Israeli occupation is pushing forward with the Jerusalem **cable car project**, which aims to facilitate settler movement into Al-Aqsa and deepen control over occupied East Jerusalem. In December 2023, eviction notices were issued for land in Silwan, and courts have permitted the plan's continuation. The cable car is more than a transport project—it is a political tool to reshape Jerusalem's demographics and historical identity.

352. On Saturday, December 9, 2023, signs were hung throughout the Silwan neighborhood in East Jerusalem on behalf of the Jerusalem Municipality, informing about land expropriation to construct the pillars on which the planned cable car to the Old City will be suspended. The expropriations are for the purpose of surveying and locating the suitable place for building the pillars, enabling excavations and soil tests, and are limited to only eight years.

After eight years, the exact area where the pillars will be built will be determined and permanently expropriated. Landowners were given 60 days to file objections.



353. The municipality's decision indicates the advancement of the cable car construction despite no tender being issued yet, and no company has been chosen to carry out the cable car's establishment. It seems that the authorities are working to establish facts on the ground and prepare the conditions as much as possible for the rapid construction of the cable car when a company is decided upon.



One of the cable car projections (Jerusalem Post, 29 Nov. 2021)

#### **IV. Umayyad Places: Settlement of Land Title Procedure and Excavations**

354. The remains of the Umayyad Palaces have been the subject of some of the most egregious instances of Israeli alterations to the Holy Places since 2000<sup>263</sup>. The Davidson Centre museum was placed at the entrance to the Umayyad Palaces<sup>264</sup>. Large wooden and metal platforms have been installed by the Israeli authorities to expand spaces for Jewish prayer. Following a decision by the

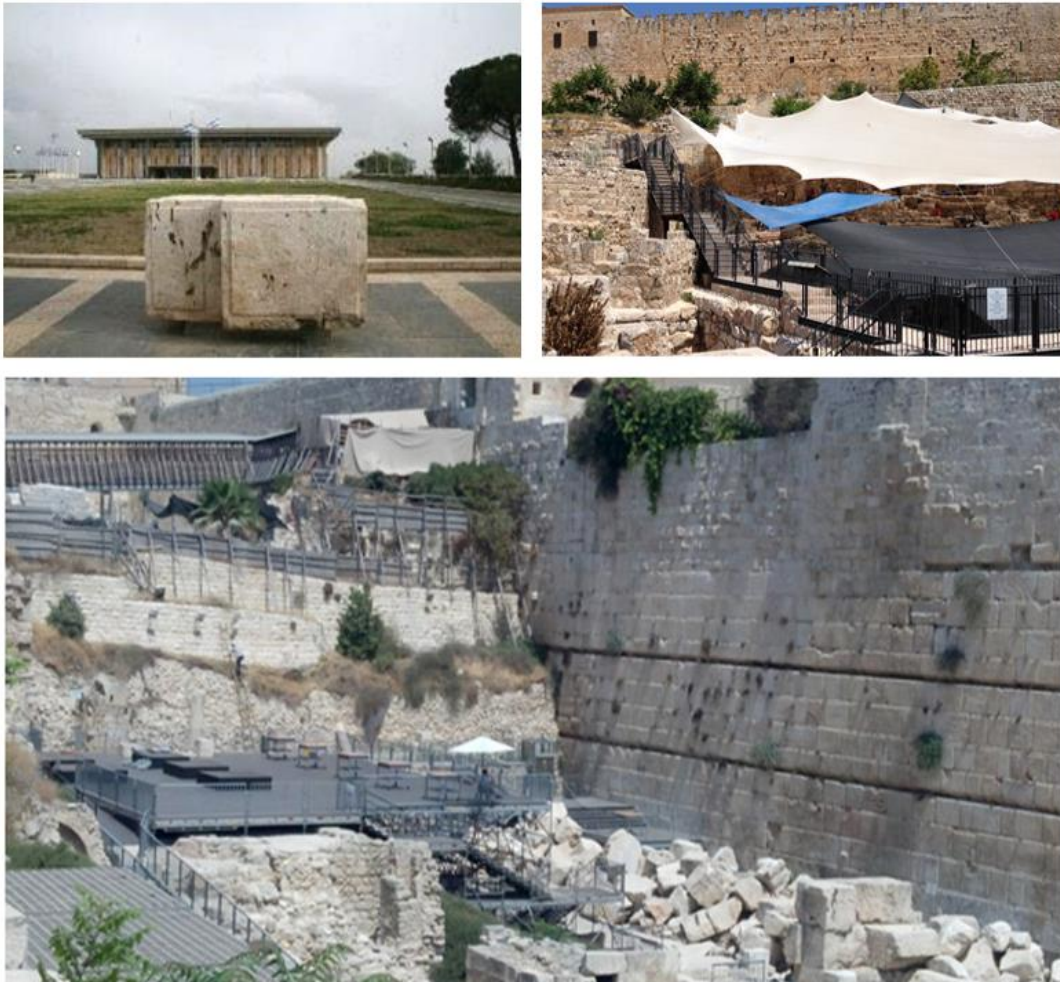
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<sup>263</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 15

<sup>264</sup> Following a dispute amongst the Israeli authorities, which completely ignored the fact that this area is *Waqf* property, extensive rights in respect of the Davidson Centre were granted to the extremist settler organisation Elad in 2013 (The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 16)



Israeli authorities to expand those platforms yet further<sup>265</sup>, the *Awqaf* protested on 4 February 2016 to the Israeli police, demanding, *inter alia*, that the Israeli authorities: (1) halt all excavations, removal and illicit transfer of Arab and Islamic heritage remains from the Umayyad Palaces; (2) remove a metal shade that had been set up at the centre of the Umayyad Palaces area; (3) remove all wooden and metal prayer platforms recently installed adjacent to the Western Wall; (4) cancel the decision to expand those prayer platforms at the expense of *Waqf* property; (5) remove signs installed in the area imposing Jewish names upon Islamic areas<sup>266</sup>.



Examples of illegal and damaging excavations and tunnelling at the Umayyad Palaces

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<sup>265</sup> Emek Shaveh, *Update - Archaeological and Political Damage Caused by Expansion of the Western Wall Prayer Area into the Archaeological Park* (2 February 2016)

<sup>266</sup> Awqaf Protest Note (4 February 2016)

<sup>267</sup> The Hashemite Fund, *Israeli Violations Against the Holy Places and the Historic Character of the Old City of Jerusalem* (August 2016), page 15

355. Emek Shaveh describes the area of the Umayyad Palaces as:

*“the largest contiguous excavation area in the Old City ... The excavations extend the entire length of [AAM/HAS] on its southern side, and along a sizable portion of its western side. ... The location was declared a national park at the end of the 1990s, and a few years later, as 2010 approached, the Davidson Center was constructed and the site was turned into an active museum. ... While it could be claimed that presentation of these excavations is merely a means of making Jerusalem’s history over the ages known, when the actual findings are reviewed, it becomes clear that those remains identified with Jewish history are specially emphasized”<sup>268</sup>.*

356. In August 2022, *Awqaf* employees managed to photograph and record workers employed by the Israeli authorities using hammers and electric-powered jackhammers to destroy boulders coming off the Umayyad Palaces:



انتهاك: قيام عمال تابعين لجمعيات ومؤسسات إسرائيلية بتكسير الصخور وأثار إسلامية في منطقة القصور الأموية باستخدام مطارق كبيرة.  
المكان: القصور الأموية على السور الجنوبي للمسجد الأقصى المبارك  
التاريخ: 10.08.2022  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

**The Violation:** workers employed by Israeli Institutions and associations destroy boulders and relics dating back to Islamic periods using hammers at the Umayyad Palaces area.  
**Location:** Umayyad Palaces Area, adjacent to Al-Aqsa Mosque/Al-Haram Al-Sharif's Southern Wall  
**Date:** 10 August 2022  
**Source:** Jerusalem Awqaf and Al-Aqsa Mosque Affairs Department



انتهاك: قيام عمال تابعين لجمعيات ومؤسسات إسرائيلية بتكسير الصخور وأثار إسلامية في منطقة القصور الأموية باستخدام حفارة كهربائية.  
المكان: القصور الأموية على السور الجنوبي للمسجد الأقصى المبارك  
التاريخ: 09.08.2022  
المصدر: دائرة أوقاف القدس وشؤون المسجد الأقصى المبارك.

**The Violation:** workers employed by Israeli Institutions and associations destroy historic boulders and Islamic relics at the Umayyad Palaces area using an electric breaker  
**Location:** Umayyad Palaces Area, adjacent to Al-Aqsa Mosque/Al-Haram Al-Sharif's Southern Wall  
**Date:** 9 August 2022  
**Source:** Jerusalem Awqaf and Al-Aqsa Mosque Affairs Department

<sup>268</sup> Emek Shaveh, *From Silwan to the Temple Mount: Archaeological Excavations as a Means of Control in the Village of Silwan and in Jerusalem’s Old City – Developments in 2012* (February 2013), page 17



(The photograph (left) above was enclosed with a protest note sent by the *Awqaf* to the Israeli police dated 3 May 2023<sup>269</sup>)

(The photograph (right) above was enclosed with a protest note sent by the *Awqaf* to the Israeli police dated 3 May 2023<sup>270</sup>)

357. On 23 June 2022, settlement of land title procedures were initiated in Umayyad Palaces area, a Waqf property adjacent to the southern wall of AAM/HAS, containing remains of Palaces dating back to the Umayyad era.

358. Since the Israeli government announced its decision in 2018 to undertake settlement of land title procedures in East Jerusalem for the first time since 1967, there has been grave concern that these proceedings would be used to dispossess Palestinians of their lands and expand Israeli control over more territory. These procedures are being conducted within the framework of Israeli Government Decision 3790, which is intended to ostensibly promote socio-economic development in East Jerusalem through a 2.1 billion investment over a five-year period. Although characterized as a measure aimed at “creating a better future” for Palestinian residents, implementation of these procedures over the past year confirms that they are rather being used for the benefit of the Israeli Occupation and Israeli settlers with budgets designated for Palestinians. The initiation of the process in Umayyad palaces area is a dramatic development, severely increasing the risk of state appropriation of a remarkable heritage site and, possibly, hand it over to settlement groups.

359. It is worth noting, that two months ahead of Israel’s initiation of settlement of land procedures in the Ummayyad palaces area, the Islamic Awqaf Department in Jerusalem reported on 3 April 2022, that the Israeli Antiquities Authority and Elad settlers group, have been carrying out excavations at the Umayyad Palacae area and at the Buraq plaza for the past few months. The IOA have made holes in the southern wall of Al-Aqsa and removed debris from lower spaces underneath Al-Aqsa. Sheikh Azzam reports that IOA dug a tunnel adjacent to the southern-western Aqsa foundation at a depth of 7 meters; causing landslides and jeopardizing that integrity of the Aqsa foundations. Noting that vertical/horizontal cracks have appeared in the southern Hall of the Islamic Museum. J-Awqaf also reported spotting several ventilation pipes feeding the tunnel, as well as electric/electronic extensions.



Yashiva students places debris in bags at Umayyad palaces excavation site and moving them to unknown destinations



Excavations at Buraq Plaza and use of heavy machinery and a concrete pump.



Holes made in Al-Aqsa's Southern wall. its important to note that Israeli occupation aurtherities ban Jerusalem Awqaf Departemnt from restoring Aqsa walls

استمرت السلطات الاسرائيلية باعمال الحفر والتزيم في منطقة القصور الاموية، حيث تواجبت رافعه نامت بزالة الاثرية والحجارة من المكان.

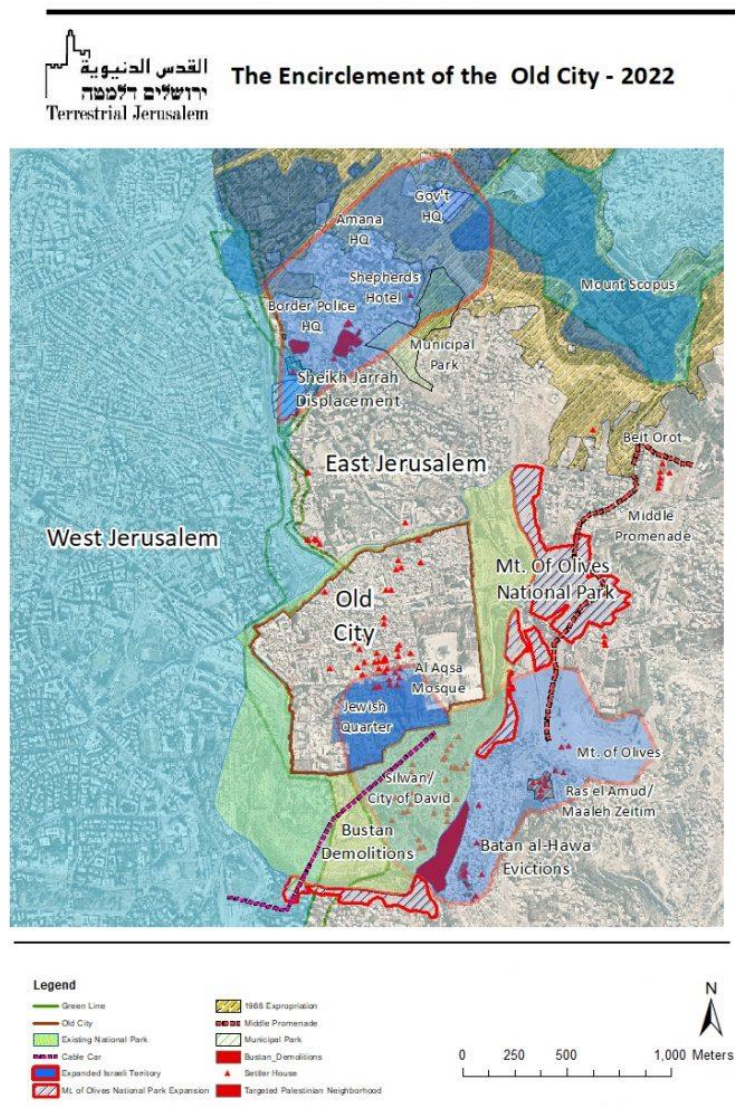


Heavy machinery operating at Umayyad Palaces Area

360. In early 2024, the Israeli government announced a series of **new Judaization initiatives**, including the construction of a **"Study Center for the Third Temple"** west of Al-Aqsa Mosque. The project, inaugurated by Israeli businessman Laurent Levy, aims to promote the construction of a Third Temple by training settlers in architecture and rituals. It is scheduled to open in 2028 and forms part of a broader effort to normalize Temple-related discourse and erase Islamic character from the area.

361. Alongside this, Israel continues excavation activities near **Robinson’s Arch**, located at the southwest corner of Al-Aqsa. In April 2024, authorities announced the discovery of an Aramaic-inscribed artifact, allegedly used by Jewish pilgrims. This follows similar prior claims and underscores the ongoing politicization of archaeology to assert Jewish historical primacy over the site.

## V. Mount of Olives: Expansion of the “National Park” and a New Visitors Center



Map by Terrestrial Jerusalem showing the borders of the new expanded National Park at Mount of Olives

362. In December 2024, Israeli authorities announced the discovery of a **1700-year-old religious artifact** near Al-Aqsa. Claimed to be from the Second Temple period, the artifact reflects continued archaeological excavations in the Mount of Olives and aligns with the broader campaign to use archaeology to reinforce Jewish religious claims while neglecting Christian and Muslim historical narratives.

363. In 2022, the Jerusalem Local Planning and Construction Committee announced that it will discuss the approval of a Town Plan submitted by the Israel Nature and Parks Authority (Plan No. 101-0674788). The objective of the Plan is to enlarge the boundaries of the existing National Park adjacent to the ramparts of the Old City, so that it will include most of the Mount of Olives (Home to several Christian Holy Sites, Church properties and Waqf properties) and parts of the Kidron Valley and Ben Hinnom Valley.

364. The ramifications of this plan are not routine. While the ringing of the Old City on the north and the south is proceeding apace by means of settlement expansion in Sheikh Jarrah and Silwan, respectively, the expansion of the National Park will remove the remaining obstacles for the development of settlement-related activities to the East. By doing so, it will complete the total encirclement of the Old City by means of settlements and settlement-related projects that are fragmenting the Christian and Palestinian expansions in the visual basin surrounding it. Incorporating some of the most sacred important sites of Christianity into an Israeli National Park is a display of insensitivity, indifference and a cavalier disregard towards Jerusalem's Christian churches and believers around the world as it will affect the integrity of Christian holy sites.

365. The boundaries of the Plan fragment the holistic Christian presence on the Mount of Olives. By creating a narrow "Christian corridor" containing important holy sites that are technically outside the borders (but functionally within them), the Park splits the sacred space on the Mount in two, creating two smaller, disconnected spaces to the north and south of the corridor. This mapping reflects a view that the holy sites are isolated slivers of Church property, disconnected from one another and firmly embedded into a public domain that is unabashedly an Israeli National Park. This fragmentation is a violation of the Mount's unique character.

366. On March 2022, the Israeli occupation authorities announced a plan to establish a huge Judaizing center on the "land of the Mount of Olives", at a cost of millions of shekels. The new center will provide information services and content about the place to tourists from abroad and

Israeli visitors who come to the Mount of Olives. The visitor center will contain information about the tens of thousands of Jews buried on the Mount of Olives. The center will also include (a synagogue, a training center, libraries, ticket shops, a cemetery showroom, an auditorium, an institute for cemeteries research, cartography, an observation center, and more).

## **VI. Excavations at Silwan Pool (pool of Siloam)**

367. For years, the Elad Foundation has been initiating excavations in known areas or in tunnels under the homes of residents of Wadi Hilweh neighborhood in Silwan but have not initiated digs in new areas. However, a letter received by Palestinian caretakers of land adjacent to the archaeological site suggests intention to excavate in an area covering two plots of land. The letter instructs the residents to leave the area immediately to enable archaeological excavations. The letter was written on behalf of Donhead, a company registered in the Virgin Islands and which is affiliated with the Ateret Cohanim settlers group.

368. In 2004 during municipal maintenance works in the southern part of Wadi Hilweh, an ancient pool and the remains of a 1st century drainage tunnel and Roman road leading to the Davidson archaeological park were discovered. That year, the Antiquities Authority began excavating the pool and street in what has since been dubbed the “Pilgrim's Route” and famously inaugurated by former US Ambassador David Friedman in 2019. The excavation route runs under the homes of Palestinians living along Wadi Hilweh road (renamed by the municipality “City of David Ascent”).

369. The area of the pool displayed to the public today is only a section of the historic pool. Access to the area designated in the letter would enable an excavation of the historic pool in its entirety. This is very significant as the Pool of Silwan/Siloam and the “Pilgrim's Road” tunnel are a central feature of the development of the southern section of the so-called “City of David” and a series of sites linking the Hinnom Valley to the Old City. Taken together these developments are part of a strategy spearheaded by the settlers but ultimately promoted by all the relevant governmental and municipal bodies to use archaeology and tourism as a means for transforming the historical landscape of Jerusalem from a diverse multicultural city to one shaped by a nationalist Judeo-centric story.

370. In May 2024, a report from four Israeli human rights groups confirmed continued Israeli excavations at the Pool of Siloam. Extensive digging uncovered new stone staircases, part of a



larger attempt to transform the area into a biblical heritage site, diminishing its multicultural history.

371. Simultaneously, **excavations continued at the Giv'ati Parking Lot**, where archaeologists claimed to have discovered mysterious ancient channels and a three-room building with jars and ivory panels. Critics argue these interpretations lack independent oversight and are ideologically driven, reinforcing Jewish narratives while marginalizing other histories.

372. In January 2025, Israel's Antiquities Authority (IAA) claimed to have found an eight-room, rock-hewn structure in the so-called "City of David" in Silwan. Although it was promoted as evidence of First Temple worship practices, the excavation violates the Fourth Geneva Convention and is considered part of a broader politicization of archaeology in occupied East Jerusalem.

373. In July 2024, IAA announced the discovery of a **monumental moat in Silwan**, believed to date to the Kingdom of Judah. While presented as a neutral archaeological find, such announcements are often used to justify settler activity and dispossession in the area.

374. In August 2024, the IAA revealed additional artifacts found in the **drainage channel beneath Jerusalem's main street**, allegedly from the Second Temple period. Critics argue such interpretations ignore Jerusalem's broader historical layers and contribute to an exclusionary, mono-religious narrative.

## **VII. Judaization of Al-Khalil (Jaffa) Gate Area**



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Unilateral Israeli excavations at historical Jaffa Gate Area started since 2009 continued through 2024

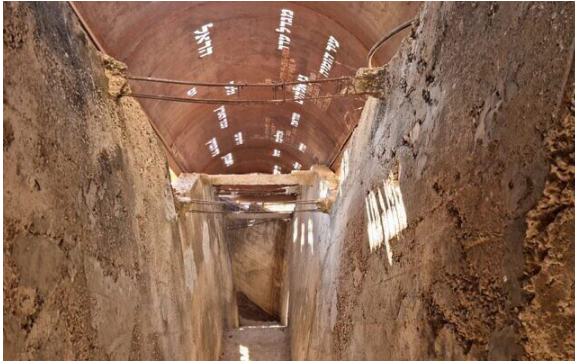
375. On 23 January 2021, Israeli Jerusalem municipality announced that it finalized plans for the “Touristic Jaffa Gate” project, which will soon enter implementation phase. The new Judaization project, will establish new markets, plazas, museums and commercial centers, starting from Jaffa gate, through Armenian quarter, to *Al-Sharaf* neighborhood. 40 million (NIS) (about \$10.5 million today) have been allocated for the project, which several settlement organizations will take part in supervising. This project comes as settlers continue efforts to take over Orthodox Church properties (Imperial and Petra Hotels) in the area.

376. As part of the Israeli Ministry of Heritage’s broader “**Reviving Jewish Heritage**” campaign, several initiatives were launched in 2024 to Judaize the gates of the Old City and the “Holy Basin.” This includes transforming the **Jaffa Gate** area, altering Ottoman-era sites, raising Israeli flags, and undermining Christian and Islamic heritage sites. The campaign is backed by a \$55.6 million Israeli government investment and coordinated with settler organizations.

<sup>271</sup> [Excavations inside Jaffa Gate, January 2010 | Tom Powers — VIEW FROM JERUSALEM](#)

<sup>272</sup> <https://www.timesofisrael.com/as-tower-of-david-looks-to-future-excavations-rewrite-ancient-citadels-past/>

## VIII. Mount Zion: New tunnel



Left: Latest Israeli excavations of Mount Zion Tunnel



Right: Photo of Nabi Daod Mosque compound in 1870

377. In October 2022, the so-called “Ministry of Jerusalem Affairs, Heritage and Settlement” of the occupation revealed a new Judaization project in the Mount Zion area in occupied Jerusalem. According to what Hebrew sources reported, the Ministry of Jerusalem Affairs of the occupation, along with another settlement company, has allocated more than 2 million shekels in order to open a secret tunnel in Mount Zion to turn it into a tourist heritage site to present the Jewish narrative about the Old City in occupied Jerusalem.

378. The most flagrant aggressions / violations of these excavations and tunneling projects are the following:

- (1) the Israeli impose of a Jewish exclusivist unilateral narrative on the description of almost all the discovered remains;
- (2) most of these excavations are conducted in a covert manner and they are revealed to the public only after the settlers design / create their own narrative of them; in most cases, the created narrative assumes that “remains from the first or second temple periods were discovered;” the matter which is hardly confirmed by Israeli profession archaeologists;
- (3) many important remains are completely removed and thrown away as garbage or sent to an unknown destination;

(4) many of these excavations have been used exclusively for ideological tourism activities run by extreme right wing guides;

(5) many of these excavations were revealed only after exposing their consequences of damaging or causing cracks in the Arabs' houses / properties over the ground.

379. In December 2024, excavations at Mount Zion uncovered a **rare Chinese inscription** over 500 years old. While the find could offer opportunities for intercultural understanding, the excavation again raises questions about the exclusion of Palestinian experts and the use of archaeology to reinforce Israeli claims.

### **IX. Weaponization of Archaeology**

380. Concerns continue to rise over the **politicization of archaeology in occupied East Jerusalem**. In February 2024, IAA Director General Eli Escusido attended a political meeting with Otzma Yehudit—a party that also controls the Heritage Ministry. This contravenes civil service regulations and signals a blurring of lines between archaeology and far-right ideology.

381. With the Heritage Ministry and settler-backed NGOs influencing excavation priorities, archaeological work is increasingly viewed as a political weapon to legitimize settlement expansion, assert Jewish supremacy, and sideline Palestinian heritage. UNESCO and other international bodies have warned that such actions violate international law and threaten Jerusalem's universal, multicultural value.

## CHAPTER FIVE

### CONCLUDING REMARKS

#### I. Israel's Violations of Applicable International Law

382. As outlined above, acts and omissions attributable to Israel and its authorities against the Holy Places and their worshippers amounting to International Law violations have taken place ever since the beginning of the occupation in June 1967. Furthermore, following the extremely provocative incursion led by Mr. Sharon on 28 September 2000, the volume and seriousness of Israeli aggressions against the Muslim Holy Places, including AAM/HAS, and the Christian Holy Places, escalated substantially. By 2014, Israeli violations against AAM/HAS and other Muslim and Christian Holy Places had become commonplace. Shockingly, the frequency and seriousness of such violations has escalated yet further<sup>273</sup>.

383. Israeli violations against AAM/HAS now take place on a near-daily basis, and include moves which can only be construed as purported assertions of Israeli sovereignty – to attempt to irreversibly change ‘the facts on the ground’ – not least, the provocative holding of Israeli Cabinet meetings in the illegally constructed tunnels under AAM/HAS.

384. Overall, the characteristics of Israeli violations of the Muslim Holy Places and the Christian Holy Places appear to consist principally of:

- a. acts (including violent attacks) and/or omissions that have the effect of obstructing worshippers from accessing their Holy Places for the purposes of peaceful worship;
- b. acts and/or omissions that have the effect of obstructing the bodies vested with responsibility (including the *Awqaf*) from carrying out necessary restoration and/or maintenance works in respect of the Holy Places;
- c. acts that are intended to alter the inherent nature, characteristics and usages of the Holy Places;

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<sup>273</sup> Indeed, the *Awqaf* recorded “a clear escalation in the number of extremist intruders: from 11524 extremists in 2014; 11645 extremists in 2015; and 14,806 in 2016 exceeding 2015’s incursions by around 3000 intruders”: see Jordanian-Palestinian Status Report, *The State of Conservation of the Old City of Jerusalem and its Walls* (28 April 2017), page 11



d. acts and/or omissions (including a failure to take appropriate and/or effective measures) that have the effect of destroying and/or allowing the destruction and/or undermining the integrity of the Holy Places; and

e. acts and/or omissions (including a failure effectively to prevent or respond to) incursions into the Holy Places of an aggressive, provocative and destructive nature calculated to offend the sensitivities of Muslims and Christians in the Occupied Territory.

385. Jordan and Palestine respectfully submits that there is, regrettably, more than sufficient material before the International Court of Justice to justify the conclusion that Israel has, in respect of its acts and omissions concerning the Holy Places, committed heritage conservation, human rights violations and grave breaches of international humanitarian law contrary to its obligations, *inter alia*, as an Occupying Power.

386. In the circumstances, Israel's conduct (its acts and omissions) amounts to a breach of its obligations as an Occupying Power in numerous different ways.

387. Israel's acts and omissions, not least the demolition of the Mughrabi Quarter, the destruction of the MGP, tunnelling under AAM/HAS and continuous acts of violation that cause physical damage to AAM/HAS, other Muslim Holy Places, the Church of the Holy Sepulchre and other Christian Holy Places, amount to a breach of Article 53 of the Fourth Geneva Convention which prohibits the Occupying Power from engaging in destruction of real or personal property in the Occupied Territory.

388. Israel's continuous acts of violation against AAM/HAS, other Muslim Holy Places and the Christian Holy Places, and obstruction of necessary maintenance work in such Places, amount to a breach of Israel's duties under Article 46 of the 1907 Hague Regulations to respect religious freedoms, to not confiscate private property, and to safeguard the capital of public buildings in the Occupied Territory.

389. In addition, Israel's continuous acts of violation against AAM/HAS, other Muslim Holy Places and the Christian Holy Places amount to a breach of Israel's obligations under the Cultural Property Convention to safeguard, respect and to refrain from acts of hostility against cultural property in the Occupied Territory.

390. Israel's continuous failure to act in accordance with numerous decisions of UNESCO and the World Heritage Committee, and continued acts of aggression that cause physical damage to

AAM/HAS amount to a breach of Israel's obligations (1) not to take any deliberate measures which might damage directly or indirectly the cultural and natural heritage situated in the territory of other States Parties, (2) to take all appropriate measures to prevent, avoid, stop and suppress acts of intentional destruction of cultural heritage, wherever such heritage is located, and (3) to take all appropriate measures to conduct their activities in such a manner as to protect cultural heritage, in conformity with customary international law and the principles and objectives of international agreement and UNESCO recommendations concerning the protection of such heritage during hostilities.

## **II. Concluding Observations**

391. The facts identified above in summary reflect a continuing pattern of behaviour on the part of Israel since 1967. This pattern of behaviour has been accelerated and become more widespread and blatant in recent years – no doubt based upon an assumption that there was no forum for accountability.

392. The Israeli authorities have deliberately and irrevocably sought to undermine the structural integrity of AAM/HAS, *inter alia* by tunnelling thereunder, bulldozing the Mughrabi Quarter within days of occupying in 1967, destroying the ancient MGP and replacing it with a wooden/steel structure that may potentially be used for police vehicles to enter and violate the sanctity of AAM/HAS. In the most provocative disregard of the freedom of worship, the Israeli authorities have violently entered and defiled AAM/HAS, destroyed significant ancient structures within and appertaining thereto, and repeatedly prevented Muslim worshippers from engaging in that most sacred of acts – peaceful prayer. Instead, Israeli military personnel, heavily armed, have escorted extremists (now almost on a daily basis) onto AAM/HAS in the most blatant manner which, if not calculated to incite anger, has had precisely that effect.

393. As has been detailed above, Israel is in blatant violation of fundamental principles of Public International Law, which give rise to inalienable obligations that include:

- 393.1. the obligation not to destroy or otherwise allow the destruction of real or personal property in the Occupied Palestinian Territory;

- 393.2. the obligations to respect religious freedoms, to not confiscate private property, and to safeguard the capital of public buildings in the Occupied Palestinian Territory;
- 393.3. to safeguard, respect and to refrain from acts of hostility against cultural property in the Occupied Palestinian Territory;
- 393.4. the obligations to maintain the population of the Occupied Palestinian Territory's right to freedom of thought, conscience and religion (including the freedom, either alone or in community with others and in public or private, to manifest their religion or belief in teaching, practice, worship and observance) and their right to freely participate in the cultural life of their community;
- 393.5. the obligation to guarantee equality before the law and to take effective steps not to allow racial discrimination, including by the repeated destruction, alteration, and desecration of cultural heritage and religious sites;
394. the obligations (a) not to take any deliberate measures which might damage directly or indirectly cultural and natural heritage, (b) to take all appropriate measures to prevent, avoid, stop and suppress acts of intentional destruction of cultural heritage, wherever such heritage is located, and (c) to take all appropriate measures to conduct activities in such a manner as to protect cultural heritage, in conformity with customary international law and the principles and objectives of international agreement and UNESCO recommendations concerning the protection of such heritage during hostilities.

### **III. Recommendations and demands:**

395. For the violations and conclusions set out above, the Hashemite Kingdom of Jordan and the State of Palestine respectfully requests the UNESCO:

(A) Upload this Status Report: State of Conservation of the Heritage of the Old City of Jerusalem and Its Walls at its World Heritage Center's public website and to make it available to UNESCO bodies, committees and member states;

(B) UNESCO, its bodies and state parties must commit:

- 1) to take into consideration, in all its procedures and policies, that the practices of Israel in the Occupied East Jerusalem, including the Old City of Jerusalem and its walls, are in

violation of the right of the Palestinian people to self-determination; of the law of occupation; of the prohibition of the acquisition of territory by force; of international human rights law, including the prohibition of discrimination; of international refugee law; and of other rules of international law, including those concerning the holy sites in East Jerusalem and those relating to the prohibition of crimes against humanity;

2) to take into consideration that the legal consequences arising from Israeli violations in Jerusalem, for third States and for UNESCO and other international organizations are those provided for in the international law of responsibility for internationally wrongful acts;

(a) In particular:

- (i) Israel is under an obligation to cease its internationally wrongful acts; this includes the obligation to cease its violations of international law applicable to the maintenance, preservation and, administration of and freedom of access to the holy sites in East Jerusalem;
- (ii) Israel is under an obligation to make full reparation for all injury caused by its internationally wrongful acts;
- (iii) All UNESCO member states are under an obligation to cooperate, including with the United Nations, to bring to an end Israel's internationally wrongful acts;
- (iv) All measures taken in violation of the Palestinian people's right to self-determination, including measures taken under Israel law to alter the legal, geographic and demographic character and status of Jerusalem and of the Occupied Palestinian Territory as a whole, are null and void and have no legal validity;
- (v) All States are under an obligation not to recognize as lawful the situation created by Israel's internationally wrongful acts, and not to render aid or assistance in maintaining that situation;
- (vi) UNESCO should consider what further action is required to bring to an end to Israel's internationally wrongful acts against the heritage conservation of the Old City of Jerusalem;

(C) In light of the legal obligations above, UNESCO, its boards, committees and all its member states should:

- 1) continue condemning Israel for its constant violations against the heritage of the Old City of Jerusalem;
- 2) consider possible measures to stop Israeli alteration of the status quo of the Old City of Jerusalem and its holy sites;
- 3) take necessary decisions accordingly – at least for the purpose of documenting the violations against the city’s heritage and historical remains;
- 4) find out creative monitoring mechanisms and uses all possible tools to document the Israeli violations, especially the irreversible destructions, against the character of the Old City of Jerusalem and Its Walls;
- 5) continually stress the illegality of Israel’s attempts to change the status quo, inter alia, by using international legal language in all reports, briefings and decisions dealing with the Israeli violations in and around the Old City, acknowledging it as part of the 1967 Occupied Territories and Israel as the occupying power under international law;
- 6) constantly urge Israel to comply with the relevant UN and UNESCO decisions, end all excavations and other illegal measures taken against the heritage of the Old City and its Walls, and, most importantly, cease attempts to change the status quo at Al-Aqsa Mosque/Al-Haram Al-Sharif;
- 7) constantly request Israel to provide UNESCO with all relevant information concerning its excavations and other unlawful works in the Old City and its walls;
- 8) frequently undertake appropriate studies on the consequences of the Israeli violations;
- 9) pressure Israel to at least return to the pre-2000 status quo regarding the Waqf’s administration of Al-Aqsa Mosque/Al-Haram Al-Sharif, including maintenance and the regulation of access to AAM/HAS.
- 10) build up an archive of all authentic names of monuments, streets, schools, historic remains, walls, and holy sites before Israel removes and erases these layers and before the IOA changes their historic description;



#### IV. Jordan and Palestine Demands

##### A. Al-Aqsa Mosque/Al-Haram Al-Sharif (AAM/HAS)

396. Jordan and Palestine call on Israel to preserve the religious, authentic and historical identity/function of AAM/HAS and to uphold the Hashemite King's Custodianship of AAM/HAS in line with the pre-1967 historical and legal Status Quo. Jordan and Palestine demand Israel, the UNESCO and the International Community to pressure Israel to STOP/REMOVE the following violations:

- (a) **All forms of Jewish religious rituals within AAM/HAS**, including individual or group prayers (such as the "minyan"), full-body prostrations, and the use of religious items such as prayer books, tallit (prayer shawls), tefillin, and Torah scrolls.
- (b) **Political and religious settler incursions**, including those led or accompanied by Members of the Knesset and government ministers, which escalate tensions and constitute violations of the mosque's sanctity.
- (c) **Violation of pre-2000 status quo**, whereby only Muslim worship is permitted within AAM/HAS, and all visits by non-Muslims are coordinated strictly through the Jordanian Awqaf.
- (d) **Actions that undermine the Jordanian Awqaf Department**, including interference with its administrative authority and restoration projects. Israel must respect the department's exclusive mandate over AAM/HAS.
- (e) **All sources of Israeli incitement against AAM/HAS**, including the statements by Jewish Rabbis, settler groups, Mks, ministers and the digital content such as the recent AI-generated video depicting the bombing of the mosque and its replacement with a Jewish temple.
- (f) **All restrictions on Muslim access to AAM/HAS**, including the removal of checkpoints, cessation of ID confiscations, and end to arbitrary security searches that deter worshippers.
- (g) **All barriers** installed by the Israeli police at all gates of AAM/HAS, especially those barriers added before Ramadan 2024 and before Ramadan 2025, which the Israeli police claimed they are temporary.

- (h) **Militarization of AAM/HAS** and the police patrolling between Muslim worshippers during Ramdan, Friday prayers and other occasions.
- (i) **Expulsion orders** targeting Muslim worshippers and employees of the Jordanian Awqaf, which aim to intimidate and reduce Muslim presence at the site.
- (j) **Surveillance systems targeting Muslim worshippers and staff** and to refrain from treating the religious site as a military zone.
- (k) **Invasive archaeological excavations and tunneling** in and around AAM/HAS, especially those conducted beneath the compound, as they threaten the structural integrity of the site and serve political agendas that undermine its Islamic character.

## **B. The Churches**

267. In defense of the Christian presence in the Holy Land and the preservation of historic religious institutions, Jordan and Palestine call on Israel to take the following steps:

- (a) **Halt the confiscation of church lands:** Jordan expresses deep concern over the targeting of church properties, such as the ongoing illegal and political pressure to expropriate lands on the Mount of Olives, which undermines the historical and spiritual presence of Christian communities in Jerusalem.
- (b) **Halt the confiscation of church real estate,** especially the properties of the Greek Orthodox and the Armenian Orthodox Churches in the Old City of Jerusalem.
- (c) **Respect the historic Status Quo by ending all tax burdens on church institutions,** including property taxes and municipal charges. Churches have historically operated under exemptions that are integral to their religious and humanitarian missions.
- (d) **End vandalism and so-called 'price tag' attacks targeting churches, priests and Christian properties,** including defacement, arson, and destruction of cemeteries.
- (e) **Take of strong legal and security responses to vandals / criminals** against churches.
- (f) **Stop hate crimes and incitement against Christians,** including spitting on clergy, hate graffiti, and inflammatory rhetoric from extremist groups. Authorities must hold perpetrators accountable and promote a culture of respect and coexistence.
- (g) **Ensure full access to Christian holy sites,** particularly during key religious occasions such as Easter and Christmas. Restrictions on entry, whether through checkpoints, permits,

or crowd control, must be lifted to allow free worship and pilgrimage, especially in Jerusalem.

### **C- UNESCO**

Jordan and Palestine demand UNESCO to upload this Status Report to the websites of its proper committees / centers, such as the World Heritage Center and World Heritage Committee websites, in order to make this document available and useful to UNESCO state parties, experts and the interested audience.