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**JERUSALEM AND THE IMPLEMENTATION OF  
32 C/RESOLUTION 39 AND 169 EX/DECISION 3.7.1**

**SUMMARY**

The Director-General submits this document in compliance with 32 C/Resolution 39 and 169 EX/Decision 3.7.1. The present document provides a detailed overview of the actions taken since the 169th session of the Executive Board by the Director-General to contribute to the safeguarding of the cultural heritage of the Old City of Jerusalem including a summary of the main findings of the UNESCO mission to Jerusalem (28 February-5 March 2004) which is presented in the Annex.

Decision proposed: paragraph 13.

## **BACKGROUND**

1. 32 C/Resolution 39 adopted by the General Conference (October 2003) requested, among others, a technical mission to Jerusalem to assess the state of conservation of the Old City and its Walls, the establishment of an equitably composed committee of experts to be entrusted with proposing, on a scientific and technical basis, guidelines for a Plan of Action for the safeguarding of the Old City of Jerusalem, as well as the speeding up of the establishment, within Al-Quds University, of an archaeological training centre. The General Conference invited the Director-General to provide a report on the progress achieved on these activities at the 170th session of the Executive Board. That report is contained in the present document.

### **A. ESTABLISHMENT OF AN ARCHAEOLOGICAL TRAINING CENTRE AT AL-QUDS UNIVERSITY**

2. With respect to the establishment of an archaeological training centre at Al-Quds University, based on a proposal prepared by ICCROM and developed by UNESCO, two meetings were organized in Jerusalem, on 3 and 4 March 2004.

3. The first meeting was attended by the Director of the World Heritage Centre, Mr Francesco Bandarin, the Director-General of ICCROM, Mr Nicholas Stanley-Price, the President of Al-Quds University, Professor Sari Nusseibeh, together with Professor Marwan Abu Khalaf and Mr Osama Hamdan, of the Institute of Islamic Archaeology, Dr Khuloud Khayyat Dajani, Assistant to the President, and Mr Klaus Stark, Acting Director at the Department for International Cooperation, all of them from Al-Quds University. The second meeting was attended by the Director of the World Heritage Centre, the Director-General of ICCROM, Professor Marwan Abu Khalaf from Al-Quds University and Professor Michael Turner, from the Bezalel Academy. The mission also met Professor Arnon Zuckerman, President of the Bezalel Academy of Arts and Design.

4. Al-Quds University has established two master programmes, one in archaeology and, since 2002, the second one in architectural conservation. Over 100 students have attended the programme in archaeology. For 2006, Al-Quds University is planning to develop another two-year masters programme in cultural resource management. A possible cooperation in this regard with the Yarmouk University in Jordan, and the Cottbus (Germany) and Lund (Sweden) Universities is being discussed.

5. In this perspective, Al-Quds University has expressed an interest in receiving international lecturers and teachers, as well as financial assistance to support internships abroad and adequate facilities within the University. ICCROM would be in a position to provide opportunities for internships, to contribute the use of its conservation laboratory and teaching materials, as well as to offer assistance in developing the curricula for the master programme. The University of Napoli and ICCROM donated more than 700 books, particularly on conservation.

### **B. ESTABLISHMENT OF A CENTRE FOR THE RESTORATION OF AL-AQŞÀ MANUSCRIPTS**

6. Pursuant to paragraph 2 of 32 C/Resolution 39 concerning the establishment of a Centre for the restoration of al-Aqşà manuscripts inside al-Ashrafîya Madrasa, UNESCO sent a mission to Jerusalem, from 22 to 27 February 2004, led by Professor Andrea Papi, former Director of the Istituto per l'Arte e il Restauro and the new Director of the Lorenzo dei Medici School in Florence, Italy with a view to establishing a progress report of the restoration works of the building and

formulating recommendations for the next steps to be undertaken, as well as a detailed list for the equipment to be purchased for the future restoration laboratory.

7. The expert assumes that the al-Ashrafiya premises will be ready to be used as a laboratory in about one year, if the work proceeds smoothly and if there are no unexpected obstacles. At present, a Palestinian corps of five restoration specialists in manuscripts, who has already benefited from a complete training programme in the Istituto per l'Arte e il Restauro (1999-2002) in Florence (Italy), is working on dusting and boxing the manuscripts, preparatory to their future work. In order to enhance these five restorers' professional ability, Professor Papi suggested: (i) the creation of a temporary "emergency" laboratory inside al-Aqṣà Mosque Library; (ii) the preparation of an inventory of all Qur'an manuscripts of the Islamic Museum; (iii) the establishment of a fully equipped restoration laboratory and training centre for future generations, ensuring regular updates in modern restoration techniques through internship programmes.

8. The Islamic Waqf of Jerusalem agreed with the report by Professor Papi, and the Director of al-Aqṣà library submitted a financial request to UNESCO for the temporary restoration laboratory within the framework of the UNESCO/Welfare Association Funds-in-Trust for the "restoration and rehabilitation of al-Ashrafiya Madrasa and its re-use as al-Aqṣà Centre for restoration of Islamic manuscripts". UNESCO will also assist the Islamic Waqf in organizing periodical internships in specialized laboratories abroad for the five restorers and, once the al-Ashrafiya Madrasa will be ready to house the permanent laboratory, it will assist in financing and purchasing the necessary equipment.

#### **C. REPORT ON THE STATE OF CONSERVATION OF THE OLD CITY OF JERUSALEM AND ITS WALLS (MISSION CARRIED OUT FROM 28 FEBRUARY TO 5 MARCH 2004)**

9. Pursuant to 32 C/Resolution 39 of the General Conference, a technical mission was organized by UNESCO from 28 February to 5 March 2004 composed of: Francesco Bandarin, Director of the World Heritage Centre, Professor Michael Petzet, President of ICOMOS, Dr Nicholas Stanley-Price, Director-General of ICCROM, Mechthild Rössler, Chief, Europe Unit, World Heritage Centre, and Giovanni Boccardi, Chief, Arab States Unit, World Heritage Centre. Two experts appointed respectively by Israel and the Palestinian Authority as technical focal points, Professor Michael Turner and Dr Yussuf Natsheh, assisted the mission.

10. Thanks to the full cooperation offered by all the institutions concerned, the mission was able to achieve the objectives set by 32 C/Resolution 39 of the General Conference. An outline of its findings is enclosed in the Annex to this document.

#### **D. ESTABLISHMENT OF A COMMITTEE OF EXPERTS**

11. In line with 32 C/Resolution 39, the Director-General has taken a number of steps towards the establishment of a committee of experts to be entrusted with proposing, on a scientific and technical basis, guidelines for a Plan of Action for the safeguarding of the Old City of Jerusalem.

12. At the time of the drafting of this report, a preliminary list of experts and a draft of the terms of reference for this committee are being prepared. The list of experts include representatives from governmental and specialized non-governmental organizations working with UNESCO in the field of cultural heritage protection, as well as individual experts identified on the basis of their recognized competence and experience in areas related to the scope of work of the committee.

Consultations with all parties concerned will start soon with a view to convening the first meeting of the committee in November 2004.

### **Proposed decision**

13. In the light of the above, the Executive Board may wish to adopt a decision along the following lines:

The Executive Board,

1. Recalling 32 C/Resolution 39 of the General Conference and 169 EX/Decision 3.7.1,
2. Having examined document 170 EX/10,
3. Expresses its appreciation for the substantial contributions of all concerned Member States, IGOs and NGOs to UNESCO's action in favour of the safeguarding of the cultural heritage of the Old City of Jerusalem and appeals to them to continue assisting UNESCO in this framework;
4. Thanks the Director-General for his continuing efforts in pursuing his initiative for the safeguarding of the cultural heritage of the Old City of Jerusalem in compliance with 32 C/Resolution 39 of the General Conference;
5. Invites the Director-General to provide to it a progress report on the activities carried out within the framework of his initiative at its 171st session.

## ANNEX

### REPORT ON THE UNESCO MISSION CARRIED OUT TO JERUSALEM

(28 February-5 March 2004)

#### Important notices

This technical report concerns exclusively the state of conservation of the cultural heritage of the Old City of Jerusalem and its Walls. The mission was carried out in compliance with 32 C/Resolution 39,<sup>1</sup> which is presented at the end of this report.

Concerning the sites, monuments and single buildings mentioned in the report, reference has been made, where they exist, to the customary names, as already used in previous UNESCO reports on Jerusalem.

#### 1. Composition of the UNESCO mission and institutions met

The members of the mission were: Francesco Bandarin, Director of the World Heritage Centre, Michael Petzet, President of ICOMOS, Nicholas Stanley-Price, Director-General of ICCROM, Mechtild Rössler, Chief, Europe Unit, World Heritage Centre, and Giovanni Boccardi, Chief, Arab States Unit, World Heritage Centre. Two experts appointed respectively by Israel and the Palestinian Authority as technical focal points, Professor Michael Turner and Dr Yussuf Natsheh, assisted the mission.

The mission was warmly received by all the parties concerned, and was able to meet the following institutions and technical bodies in the Old City of Jerusalem, in coordination with the two technical focal points:

- The Israel Antiquities Authority
- The Jerusalem Municipality
- The Islamic Waqf
- The Welfare Association
- The Greek Orthodox Patriarchate
- The Armenian Patriarchate
- The Latin Patriarchate
- The Franciscan Custody of the Holy Land
- Al-Quds University
- The Bezalel Academy

#### 2. Scope of the mission and methodological issues

The internationally recognized approach to Historic Cities' preservation stresses the importance of the link between conservation strategy and social and economic balance. No preservation of a "Historical City" as such is possible if the traditional social structure is disrupted. Without the preservation of the social context, individual monuments are turned into isolated elements in a degraded and alien environment, as has unfortunately occurred in many cases.

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<sup>1</sup> 32 C/Resolution 39 adopted by the General Conference in October 2003.

The issues concerning the conservation of the Old City of Jerusalem will be addressed, therefore, along the same approach adopted by professional bodies for the analysis of Urban Historic contexts, as defined by the existing international Charters.<sup>2</sup>

### **3. The situation of the Old City**

In 2001, the total population of the Old City numbered approximately 33,500 units, equivalent to roughly 5% of the total. In 2000, the Palestinian population in the Old City (Muslim and Christian) was estimated at 29,700 people (88.5%) while the Jewish population was estimated at 3,800 people (11.5%). The area of the Old City lies within 900 dunums (roughly 1 km<sup>2</sup>).<sup>3</sup>

Today, this relatively small area is subject to extraordinary pressures, due to population increase, changes of uses of land and built areas, as well as security issues affecting the circulation of people and goods, and severing the traditional links with the communities of the hinterland.

It should also be noticed that a relevant factor affecting conservation is the very special role of the Old City as one of the most important centres of religious pilgrimage in the world. The importance given to the religious use implies, in some cases, that monuments are maintained, restored and rebuilt with a predominant attention to their religious functions, not reflecting adequately their cultural heritage status.

### **4. Main issues concerning the conservation of the cultural heritage of the Old City and its Walls**

#### **4.1 Institutional and planning framework**

Since 1967, the Old City of Jerusalem is de facto administered by the Israeli authorities. Therefore, all new constructions and conservation projects are in principle subject to the administrative jurisdiction of the Municipality.

In theory, any work within the Old City should obtain permission from a special Council for Preservation and Restoration. However, although the Israeli Antiquities Authority requires a permit for any building activity within the Old City, in reality, the mission found that most building activities within the Old City, especially small interventions, are presently carried out without any permit and often outside the control of the Municipality or the Israeli Antiquities Authority.

Besides the Planning Department of the Municipality, which coordinates and controls the overall planning process, and the Antiquities Authority, other Israeli bodies play a significant role in the Old City. These are the state-owned “Jewish Quarter Development Company” and the “East Jerusalem Development Company”, which count among their objectives the implementation of infrastructure and beautification projects in their respective zones of competence. Another important actor within the Old City is the Israeli Ministry of Religious Affairs, responsible for the management of certain holy sites including the tunnel along the Western Wall.

The Municipality of Jerusalem is currently preparing a Master Plan, with a special component devoted to the Old City aiming mainly at its preservation. This Plan is the latest in a series of Plans designed since the time of the British Mandate, including those by McLean (1918), Ashbee (1922), Kendall (1944) and the Plan of 1976, still in force. According to the Municipality, the new Master

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<sup>2</sup> See in particular the “International Charter on the Conservation of Historic Towns and Urban Areas” (Washington 1987), which complemented the “International Charter for the Conservation and Restoration of Monuments and Sites” (Venice Charter, 1964).

<sup>3</sup> 1 dunum = 1,000 m<sup>2</sup>.

Plan should come into force within 12-18 months from the time of the writing of this Report (June 2004), after the completion of public hearings and other procedures. The Plan for the Old City will take into account the historic perimeters of ancient Jerusalem, i.e. extending its scope to the north and south of the present walled enclosure built by Suleiman the Magnificent in the mid-sixteenth century. The Plan would also contain specific building regulations to control development inside the walls, both in terms of visual impact and typology.

Among the Palestinian institutions, the main actor is the Islamic Waqf, which is responsible for the maintenance and conservation of al-Ḥaram ash-Sharīf, as well as for the safeguarding of all other properties of the “endowment”, i.e. all Islamic monuments and other estate properties, including houses, shops, *sabīl* (fountains) etc. within the Old City.<sup>4</sup> It would appear that over 1,500 properties are part of the endowment, making the Islamic Waqf the largest single owner in the Old City. The Islamic Waqf carries out maintenance and restoration works on its properties, especially monuments, normally without requesting a permit from the Municipality or the Israel Antiquities Authority, which it does not officially recognize.

Besides the Islamic Waqf, at least three NGOs are involved in rehabilitation projects in the Old City. The most important is the Welfare Association, a Geneva-based Palestinian organization with considerable support and funding from private and governmental sources. The Welfare Association runs the Old City of Jerusalem Revitalisation Programme (OCJRP). Its Technical Unit, based in a restored house within the Old City, is in charge of implementing a number of large and medium-size rehabilitation and awareness-raising projects.

Recently, the Welfare Association produced a study on the Revitalization of the Old City (Jerusalem, Heritage and Life – Welfare Association, 2004), including a very detailed analysis of its conditions, from various points of view. The Welfare Association integrated all these data into a Geographical Information System (GIS), which constitutes a precious base-line for future assessments of the state of conservation of the built fabric of the Old City. The study also includes recommendations and proposals for a Plan for the development and conservation of the Old City. While these recommendations are based on the realistic assumption that the Old City will remain “under Israeli control in the short and medium term”, they do not seem related in any way to the strategy and policies of the Plan currently being developed by the Municipality of Jerusalem.<sup>5</sup>

Within the Palestinian Christian communities, the main entities involved are the Greek Orthodox Patriarchate, the Custody of the Terra Sancta (Franciscans), the Armenian Patriarchate and the Coptic Church. Other denominations have some form of stake or property within the Old City although not comparable in size and importance with the former four. These religious institutions share property and make use of their rights over the most important Christian Holy Sites within the Old City, according to the so-called status quo agreement, dating back to the Ottoman period (institutionalized by a firman in 1852). The latter, because of the extreme complexity of its administrative provisions concerning property and the exercise of rights within the Holy Sites, did not always facilitate their conservation. Besides the monuments, the Greek Orthodox Patriarchate alone is said to own over 1,000 properties within the Old City, while the Franciscans would own around 350 residential units, beside the complex of St Saviour and other religious properties. The Armenian Patriarchate would own around 5% to 7% of the Old City, although these figures are not confirmed. The maintenance of this impressive number of buildings constitutes a serious challenge for the Churches, some of which have seen their communities shrink in recent years and find it difficult to obtain rents from their impoverished tenants. Moreover, the technicians in charge

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<sup>4</sup> With the Jordanian act of separation, in 1988, the Hashemite Kingdom recognized the role of the PLO in the West Bank, but retained its administrative jurisdiction over the Holy Places in Jerusalem.

<sup>5</sup> Quote from: Welfare Association, *Jerusalem Heritage and Life: The Old City Revitalization Plan* (Jerusalem, 2004), p. 130.

confirmed that the Churches are aware of illegal building activities affecting their properties, but allegedly are not capable of imposing some form of control.

In summary it appears that, owing to the prevailing situation, the Old City of Jerusalem lacks an effective and coherent institutional and planning framework, which might ensure the appropriate management and conservation of its cultural heritage. A technical solution to this problem does not seem possible, as long as the dispute over the final status of the Old City is not settled.

## **4.2 Impact of archaeological research on the conservation of cultural heritage**

The Old City of Jerusalem is remarkable in the fact that it constitutes a living urban landscape that incorporates heritage of more than 2,000 years of the city's history. It is also remarkable in that it forms one of the world's most important archaeological sites. Its impressive earlier remains were to a great extent unknown until they were uncovered in the nineteenth and twentieth centuries and its archaeological subsoil hosts much of the evidence that justifies the extraordinary significance that different faiths have ascribed to Jerusalem.

Since 1967, an extensive investigation of the archaeological subsoil in the Old City has been undertaken. This has led to several excavation campaigns over the past 35 years, along with the concomitant responsibility to publish and to conserve the results whenever feasible. The well-established principles of undertaking the least excavation necessary (minimum intervention) and the conscious keeping of "witness areas" for future investigation have often only been observed when excavation was physically impossible due to overlying structures that could not be demolished.

A policy limited to rescue (salvage) excavation would be more in line with the principles of Archaeological Heritage Management than that of maximizing all opportunities to excavate. It would also be in line with the 1956 UNESCO Recommendation concerning excavations in occupied territory.<sup>6</sup>

Professor R. Lemaire, in his report of 1987 refers to the provisions of this Recommendation, and highlights that "[a]lthough this text carries no legal weight it is morally binding on the countries that voted for it, which included Israel".<sup>7</sup>

The great majority of excavations carried out in the last 35 years – with the remarkable increase in knowledge that they have yielded – have been conducted professionally and to high standards. But criticisms were uttered on the issue of subsoil investigations that employ techniques not meeting archaeological standards in what potentially might be deposits of archaeological value.

For instance, the operation in the framework of the rehabilitation of the Marwani Prayer Hall started in November 1999, to re-open two of the access arches in the south-east corner of al-Ḥaram ash-Sharīf was criticized for not having been carried out under archaeological control. The use of mechanical earthmoving equipment in archaeologically sensitive areas of the Old City is not without precedent, unfortunately, nor is the removal of important archaeological deposits without adequate professional control. Other examples would include the creation of the Western Wall plaza in 1967, when the ground level in the area was lowered by around 2.5m following the demolition of

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<sup>6</sup> *In the event of an armed conflict, any Member States occupying the territory of another State should refrain from carrying out archaeological excavations in the occupied territory. In the event of chance finds being made, particularly during military works, the occupying Power should take all possible measures to protect these finds, which should be handed over, on the termination of hostilities, to competent authorities of the territory previously occupied, together with all documentation relating thereto.* Recommendation on International Principles Applicable to Archaeological Excavations, 5 December 1956, (Section VI, paragraph 32) in: UNESCO, *Conventions and Recommendations of UNESCO concerning the Protection of the Cultural Heritage* (Paris, 1983), p. 113.

<sup>7</sup> Lemaire, Doc. 127 EX/12 Rev. (1987), p. 17.



the standard buildings;<sup>8</sup> the excavation of a new pool in 1970 to the east of the Dome of the Rock platform; and the Western Wall Tunnel investigations by the Israeli Ministry of Religious Affairs in 1968-1971.

All excavated sites left exposed for exhibition to visitors incur recurrent costs for their maintenance and guarding. When budgets are reduced, maintenance cycles tend to become less frequent and sites deteriorate. The extensive open excavated areas along the Western and Southern Walls of al-Ḥaram ash-Sharīf (and in the archaeological areas adjoining the external face of the city walls) have high maintenance costs (regular vegetation control, consolidation of exposed surfaces, etc.). By the time of the visit of the mission, the overall state of maintenance of this area had been markedly improved, compared with earlier years. The principal exception, as recognized by the site managers, is the rooms of the Umayyad public building adjacent to the Southern Wall. Their luxuriant vegetation, contrasts with the central garden area of the building, which is kept free of vegetation under the modern shade shelter. This inversion of values (vegetated rooms, plant-free garden) is confusing to the visitor and should be re-thought within the overall interpretation policy.

The current efforts to improve on-site interpretation in the Davidson Archaeological Park should be welcomed. The Davidson Visitor Centre, situated adjacently to the inner face of the Suleiman city wall and straddling the excavated remains of an Umayyad public building, orients the visitor to the site. At present, once on-site, the member of a guided group is likely to have a more informative tour than the individual visitor, given the lack of adequate signage on-site (due to be rectified, apparently).

The interpretation for the public of the complex, multi-period excavated areas of the Southern and Western walls has been a challenge since their excavation. (The excavated remains within the Citadel, despite high-quality signage, are also a challenge for the non-specialist to understand without a guide.) Many of the well-intentioned but inappropriate reconstructions of the walls of Byzantine and Umayyad buildings (especially) carried out in the 1980s have now been dismantled, in favour of the selective preservation policies described above. Not only are policies of the latter type significantly less expensive, they are also in greater conformity with generally accepted principles of Archaeological Heritage Management. This trend should be encouraged.

Although visitor numbers were very low at the time of the mission, an important issue of visitor management was apparent. To what extent is interference in the historic fabric justified in the interests of visitor access and safety? The question applies to three key sites: the Church of the Holy Sepulchre, al-Aqṣà Mosque, and the tunnels dug adjacently to the Western Wall. For all three the need to avoid having a single entrance/exit access has been prompted by safety considerations. A solution was found (although with the reservations expressed above) for the Marwani Prayer Hall through the opening up of an access using existing but blocked entrances.

The solution adopted at the Western Wall Tunnels to provide an exit for visitors is more debatable. It has required the breaching over several metres of the bedrock in a sensitive archaeological area where every facet of the bedrock has a historical importance. Recognizing the political difficulties of using existing access points, this solution nevertheless contravenes some important conservation principles concerning site integrity and reversibility. The opening of the former Ayyūbid gate west of the Bâb al-Maghâriba (also called Dung Gate) has involved the removal of several courses of the Suleiman city-wall at that level. While the arguments in favour of providing an alternative access are sound, the destruction of the original fabric is regrettable (as it was in the widening of the Bâb al-Maghâriba (also called Dung Gate) during the Jordanian Administration).

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<sup>8</sup> M. Benvenisti, *Jerusalem: The Torn City* (Jerusalem, 1976), p. 312.

### 4.3 Deterioration of monuments

The mission limited its examination to some of the most important monuments, including: al-Ḥaram ash-Sharīf; the Church of the Holy Sepulchre; the Greek Orthodox Convent; the Armenian Cathedral of St James; the Church of St John the Baptist Prodromos; the Citadel/Tower of David; the Roman Cardo; the Hurva Synagogue; the Jewish Quarter; the Archaeological Park on the southern side of the Western Wall; the Tunnel running along the Western Wall as well as the main Gates and other sections of the City walls. From the observation of the above-mentioned monuments, the mission was able to identify a number of issues related to their conservation.

Besides their cultural and artistic value, the Jerusalem monuments have overwhelming religious and symbolic significance to millions of people. It is this type of meaning that has often driven the conservation approach. In many cases, this approach was, and to some extent is still, not inspired by the respect for the authentic aura and the concern for cultural heritage, but rather by a desire to beautify the monument as a place of worship. Evidence of this approach is visible, for example, in past restorations of the Dome of the Rock and of the Holy Sepulchre. In his reports, Professor Lemaire has given an accurate and detailed account of such interventions carried out in the 1950s and 1960s. In his 1993 report, for instance, he recorded that the Dome of the Rock had been subject to a “dramatic ‘restoration’” that had badly damaged the monument and of which he quoted several aspects.<sup>9</sup> The restoration of the Holy Sepulchre, equally criticized by Professor Lemaire, continued until more recently.

Similar comments appear in his 1990 report where he again referred to the “extreme dryness” of the restoration and the “lack of concern for the conservation of the original features”.<sup>10</sup> In 1993, Professor Lemaire offered a partial explanation to the discrepancies regarding the restoration of the Holy Sepulchre, stating that: “The absence of a consensus within the leading organ, composed of representatives of the three religious communities concerned, is at the root of the slowness of the works and of conflicting enterprises”.<sup>11</sup>

Since Professor Lemaire’s last report in 1996, the situation has not substantially changed in the Holy Sepulchre. When the mission visited the monument, the successfully implemented and well-documented restoration of the Bell Tower to the left of the main entrance was almost complete.

Inside the monument, the great cupola above the rotunda, which was rebuilt in 1863-1868, has been decorated in the middle of the 1990s, thanks to an important private donation. The gilded motifs and ornaments used are completely new and have no relation to the original structure. In addition, neo-Byzantine mosaics have been executed in the interior of the smaller cupola above the Greek Chapel. Such an intervention is against the principles of conservation and compromises the authentic spirit of the place. The modern structures in reinforced concrete built around and inside the Greek Catholicon (iconostasis) are starting to deteriorate, with potentially negative consequences for the ancient columns. Moreover, the insertion of such a rigid structure might constitute a danger in case of a seismic event. It should therefore be removed, following a careful archaeological and structural study.

Following the replacement, in the Dome of the Rock, of the aluminium roof with gilded copper sheets in 1994, the water leakages have completely stopped. Therefore, it would be possible to address the conservation of the interior. Professor Lemaire’s report of 1993 recalls the conclusions of the group of three international experts during a mission to Jerusalem in which he

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<sup>9</sup> Translated from French (Lemaire, Doc. 142 EX/14 (1993), p. 4).

<sup>10</sup> Translated from French (Lemaire, Doc. 135 EX/11 (1990), p. 20).

<sup>11</sup> Translated from French (Lemaire, Doc. 142 EX/14 (1993), p. 8).

took part that: “important restoration works comprising, notably, the complete renewal of the works undertaken forty years ago, is urgently called for”. The experts recommended the need for emergency works to prevent water infiltration in the roof and walls damaging the marble interior, paintings, beams and mosaics.<sup>12</sup> Three separate missions have been carried out by UNESCO and ICCROM experts in recent years to prepare detailed assessments and conservation studies for the mosaics, painted stucco, marble panels and tiles. Unfortunately, lack of funding is delaying their implementation. Overall, in al-Ḥaram ash-Sharîf, conservation and rehabilitation works are in process on al-Ashrafîya Madrasa, the external side of the Southern Wall of al-Ḥaram ash-Sharîf and the Islamic Museum. With the exception of the Southern Wall these works are conducted in an appropriate way.

The Hurva Synagogue is another monument of religious significance, originally built in the 1860s in the Jewish Quarter in an Ottoman style. The Synagogue was destroyed in the period 1947-1967. After 1967 the site was rearranged as a public garden and one arch was reconstructed. The Jewish Quarter Development Company is considering the possibility of rebuilding the Hurva Synagogue, according to the original plan, and a proposal has been prepared accordingly. Besides rehabilitating the Synagogue as a place of worship, the responsible Israeli Architects believe that its reconstruction would restore the traditional urban skyline of the Old City. Once again, the final decision will have to meet the appropriate balance between the principles of urban conservation and the requirements of a living City.

As has already been mentioned in chapter 4.2 above, the current situation prevents the establishment of an appropriate and effective conservation system in the Old City. As for the monuments, there are several ways in which the lack of institutional coordination among the concerned parties affects their state of conservation.

One of them is the difficulty to act efficiently and rapidly when conservation problems arise. A typical example is the Holy Sepulchre, where the complexity of the agreements on ownership and the use of the premises among the responsible religious authorities considerably delays the decision-making process. The Edicule in the Rotunda, built in 1809 following the disastrous fire of 1808, is still encased in the steel reinforcement structure installed following the 1927 earthquake. No agreement has been reached between the Churches as to the responsibility for the necessary repairs. Only works affecting areas that pertain to only one of the three concerned Churches can take place. As a result, the Church of the Holy Sepulchre gives a general impression of incoherence and poor state of conservation.

The historical pool Birkat Hammâm al-Batruk (also called Pool of Hezekiah) is also in an appalling condition, with serious implications for public health, owing to the lack of coordination among the concerned parties. The situation has not changed since at least 1990, when Professor Lemaire reported on its state of abandonment.<sup>13</sup>

The bulge on the Southern Wall of al-Ḥaram ash-Sharîf, which raised a harsh dispute between the Islamic Waqf and the Israeli authorities in 2002, widely reported in the press, constitutes another example of this problem. In the absence of an agreement over the responsibility to act, and after considerable delay, the necessary repairs were entrusted to a “third” party (from Jordan), and are still under way.

More recently (September 2003), the collapse of a portion of the western wall of the Islamic Museum, which had been immediately repaired in an adequate way by the Islamic Waqf, was the

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<sup>12</sup> Translated from French (Lemaire, Doc. 142 EX/14 (1993), p. 5).

<sup>13</sup> Lemaire, Doc. 135 EX/11 (1990), p. 19.

subject of similar controversies. On the contrary, the collapse, on the night of 14 February 2004, of the northern side of the embankment supporting the shaded entrance ramp to al-Ḥaram ash-Sharîf, was due to the combined effect of the heavy snowfall and of a slight earth tremor, and did not raise any dispute among the two parties (at least among the professionals met by the mission).

Another problem is the inability to conduct conservation works according to a planned schedule, owing to unforeseeable changes in administrative and security measures. The current works at al-Ashrafîya Madrasa, for example, have apparently been delayed owing to the difficulty to get the necessary building materials and workers through to al-Ḥaram ash-Sharîf, allegedly due to stricter security measures imposed by the Israeli authorities. However, the mission was informed that the situation had improved in recent weeks and that the works could be resumed. It should be noted that, due to their intrinsic nature, conservation works require careful planning and execution. An open structure under repair, for instance, cannot be left exposed to the elements during the rainy season, without considerable risk for its stability. Professor Lemaire already raised this issue in 1991 with respect to the Dome of the Chain. Reflecting on the damage which time and exposure to the elements could cause to the structure, he commented that: “It would be desirable that such important and delicate restorations only be undertaken once all the means indispensable for their completion in the allotted time have been ensured”.<sup>14</sup>

Lack of coordination and consultation also seems to have played a role regarding digging by the Israeli Ministry of Religious Affairs of the tunnel along the Western Wall of al-Ḥaram ash-Sharîf. Structural problems affected the overlying buildings, including some very important Mamluk monuments.<sup>15</sup>

This issue has been looked into extensively in all the reports submitted by Professor Lemaire since 1971 to 1996. From the beginning of the operations, in 1968, the Islamic Waqf and other Arab owners strongly complained about structural failures caused to buildings above the tunnel, allegedly owing to the disturbance of the soil and supporting structures caused by the excavations. According to the Israeli engineers in charge of consolidation, many of the cracks which appeared in the past decade in several monuments of the Old City should be attributed rather to the drying up of the very damp soil of Jerusalem, full of debris and salts, as a result of the installation of an effective drainage system throughout the Old City and especially along the Valley of Tyropeon. Professor Lemaire had already stressed, in many of his reports, the instability of the soil of Jerusalem, the result of the continuous accumulation of layers and destructions over thousand of years. In his report of 1987 he wrote:

*The subsoil is extremely variable in texture and insecure, for it often consists of layers of debris that have built up over more than two millennia, several metres thick and encumbered with walls, old pipes, cisterns still in use or filled in, etc. The foundations of houses rest on this debris and are shallow in many cases. In the low-lying districts of the city, damp and salt seep into the mortar of the walls. All of this explains why the vernacular structures are often fragile. Excavations carried out at the base of their walls can destabilize them.*<sup>16</sup>

The question remains as to whether the effects of the drying up of the soil could have been predicted and measures taken to prevent the resulting condition of instability. It would appear, however, that heavy reinforcements now ensure the stability of the tunnel, some of which have been completed as recently as last year.

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<sup>14</sup> Translated from French (Lemaire, Doc. 26 C/14 (1991), p. 6).

<sup>15</sup> The main stairs of the Manjakîya Madrasa, housing the premises of the Islamic Waqf, partially collapsed in the 1980s, allegedly due to the works for the tunnel.

<sup>16</sup> Lemaire, Doc. 127 EX/12 Rev. (1987), p. 7.

As in many historic cities around the world, the lack of maintenance is one of the main problems affecting the state of conservation of monuments of the Old City of Jerusalem. Many monuments are in a very bad state of conservation owing to decades of neglect and incompatible uses, and require urgent intervention. The Islamic Waqf produced a list of such monuments, numbering over 200 of them and it would be impossible here to list them all. Superficial deterioration, water leakages, obstructed drainages, if not taken care of for a long time, tend to cause permanent structural damages. The particular use of these monuments as habitation by disadvantaged people, contributes to the gravity of the situation. In consequence, lack of resources and social considerations prevent the necessary interventions. On the issue of monuments in the Muslim Quarter, Professor Lemaire reported in 1987:

*No secret should be made of the fact that apart from the monuments of the Haram, some of which are also awaiting restoration, the state of Jerusalem's Islamic heritage is bordering on disaster. Practically all the monuments belong to the religions or family Waqf and according to those responsible, these bodies lack funds for their maintenance, let alone their restoration.*<sup>17</sup>

In the meantime, despite many efforts and some restoration, the situation has not changed significantly. The Dâr al-Aitâm (also called Khaskî Sultân Complex) is an exception. This very large monument was restored by the Welfare Association over the past few years. The project, which has a strong social component (the complex has been converted into a craft workshop and orphanage), is being considered by the Aga Khan Trust for the possible awarding of its coveted Prize.

Among examples of monuments in need of maintenance, the mission visited the Armenian Cathedral of St James, which would require urgent repair. The causes of decay are numerous: water leaking into the vaults (entirely covered with cement plaster) because of damaged roofs; severe humidity of the walls in many areas (precious tiles falling off); cracks caused by the latest earthquake (February 2004); considerable damage to the altars; paintings and other works of art that urgently need restoration; woodworm infestation, etc. The Armenian Patriarchate has obtained a preliminary conservation study from an architect, with an estimate of the related costs (around US \$5 million), and is seeking the necessary support. The state of conservation of the lower Church of St John the Baptist Prodromos (the Forerunner), in the Christian Road, is also a cause for concern. This church, which belongs to the Greek Orthodox Patriarchate, is one of the only surviving structures of the fifth century in Jerusalem. It is gravely affected by humidity and structural failure, and has never been restored.

The Walls of the City are certainly among the monuments requiring some maintenance and repair, and especially some of the Gates. According to Professor Lemaire's 1987 report, maintenance works had apparently been under way since 1969, including landscaping and the clearance of the base of the rampart from earth and rubble, excavations and presentation of Hasmonean, Roman, Herodian and Byzantine remains, and the conversion of the area in front of Bâb al-'Âmûd (also called Damascus Gate) into a public plaza.<sup>18</sup> The mission noted that some of the gates would again definitely require attention, especially Bâb al-'Âmûd (also called Damascus Gate) and Bâb az-Zahra (also called Herod's Gate). Finally, one should not forget to highlight the very poor state of the six *sabîl* (public fountains) executed during the rule of Suleiman. According to Professor Lemaire's 1990 report: "Most of them require maintenance although the services of the

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<sup>17</sup> Lemaire, Doc. 127 EX/12 Rev., (1987), pp. 25.

<sup>18</sup> Lemaire, Doc. 127 EX/12 Rev., (1987), pp. 9-10.

Waqf and of the municipality have undertaken cleaning and consolidation works”.<sup>19</sup> They are now in deplorable condition.

#### **4.4 The alteration of the built fabric and of the skyline**

The population density in the Old City has reached very high levels, especially in the past decades. While in 1972 the population density was about 27 persons per dunum, in the year 2000 the density had increased by 37% to numbering 37 persons per dunum. The Muslim Quarter is the area with the greatest density, reaching 51 persons per dunum (2000).

The housing stock in the Old City is relatively old and lacks basic equipment: studies show that only about 30% of houses have external toilets, and 24% external bathrooms. As for most historic cities, moreover, various alterations have affected the built fabric of Jerusalem in the past decades.

A combined result of overcrowding and the lack of an effective management and conservation system within the Old City is the uncontrolled spreading of building activities, mostly – but not exclusively – in the Muslim Quarter, resulting in the continuous alteration of the urban fabric. Additions on the rooftops and the densification of existing buildings, which in recent years have completely changed the traditional urban landscape of the Old City, are the most common of these various types of alteration. The traditional view from the top of monuments and towers over domes and terraces is now impaired by countless superstructures (additions, balconies, pitched roofs, etc.), often built with anaesthetic modern materials: entire forests of antennas and satellite dishes and rows of water tanks. This situation affects the entire Old City, and contrasts sharply with the state of the City in 1987, when Professor Lemaire described the appearance of the vernacular habitat as “having resisted the onslaught of time”, both “in physical and aesthetic terms”, thanks to “regulations ... designed to safeguard this architecture and prevent so-called ‘modern’ buildings, which would spoil the character of the Old City, from being erected in the city”.<sup>20</sup>

Worse than these superstructures, which apparently are regularly built without permission but which are “reversible” at least to a certain degree, is the continuous alteration of the interiors of many, sometimes very significant historic buildings, in the continuous quest for more residential spaces within the Old City. This includes the infill construction in open courtyards and passageways, which increases the already very high density of the built fabric and prevents the necessary ventilation. New bathrooms, toilets and kitchens are also added without proper technical supervision to accommodate the increasing number of inhabitants. The most striking examples of this phenomenon include the construction, within the Mamlûk Tomb of Sitt Tunshuq, of a complete house with three floors hidden behind a concrete wall, which blocks the entrance to the monument.

The lack of maintenance, owing to ownership issues, administrative problems in obtaining the necessary permits and lack of financial resources is another factor affecting the state of conservation of the urban fabric of the Old City. In some Quarters it has caused a rapid deterioration of the built stock. According to a technical survey conducted by the Welfare Association between 1998 and 2000, 358 houses are in a state of abandonment within the Old City, while a percentage of around one in five houses is considered unfit for habitation and would need urgent repair.<sup>21</sup> While the situation is particularly cause for concern in the Muslim Quarter, it is generally less worrying in the Christian and Armenian Quarters, while the Jewish Quarter is entirely made up of modern constructions.

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<sup>19</sup> Translated from French (Lemaire, Doc. 135 EX/11 (1990), p. 18).

<sup>20</sup> Lemaire, Doc. 127 EX/12 Rev., (1987), p. 11.

<sup>21</sup> The survey conducted by the Welfare Association did not include the Jewish Quarter.

While of course every effort aiming at improving the living conditions of the residents should be commended, the necessary upgrading and modifications to the urban fabric to provide for the needs of an extraordinarily dense (and increasing) population constitute in themselves a significant challenge for the conservation of the cultural heritage values.

Another modification of the urban fabric has consisted in new infill constructions, and total renewal especially in the Jewish Quarter, after the war of 1967. Professor Lemaire discussed at length the overall impact of these modern buildings in his Reports. In 1987, he wrote:

*“It is difficult to draw a line between the restoration and reconstruction of houses, as a great deal of ‘restoration’ work is in fact tantamount to rebuilding. As far back as 1971 attention was drawn to certain scientific shortcomings in the work in progress. No attempt was made to remedy the situation. Instead of presenting a genuinely ancient appearance, this area gives an impression rather of ‘new made to look old’. However the unity of the materials (Jerusalem stone), the proportions, the volumes and the architectural forms undoubtedly make for coherence. Admittedly it is regrettable that houses that could have been preserved and restored were destroyed and replaced by new buildings and that some houses in ruins that could have been restored were sacrificed in order to facilitate excavation work. It must be acknowledged, however, that the overall appearance of the area today respects the traditional values of the Old City.*

*The enormous buildings erected on the eastern side of the Jewish Quarter, facing the Haram and al-Aqṣà Mosque, constitute most regrettable exceptions to the traditional scale of values, which has been judiciously upheld elsewhere in the rebuilding of the Jewish Quarter”.*<sup>22</sup>

No additional buildings were constructed within the Jewish Quarter in the last decade. However, the mission was informed of a proposal to build a new residential area on the site of the current parking lot on the southern edge of the Quarter within the walls, near Bâb an-Nabî Dâ’ûd (also called Zion Gate). According to the technicians of the Jewish Quarter Development Company, the existing parking lot lies around six meters above the first archaeological layers, which would be enough to accommodate an underground parking underneath new residential buildings, without touching the historical remains. It was not clear to the mission whether this statement had been tested in controlled excavations. It would seem unlikely that six meters of urban deposits would contain no culturally significant material. The execution of such a project, if confirmed, would inevitably raise issues concerning the legitimacy and consequences of building an entirely new residential complex within an ancient walled city declared World Heritage. On the other hand, the presence of a large parking area inside the historical area is not compatible with World Heritage status and is also cause for concern.

#### **4.5 The natural risk factors**

The Old City of Jerusalem is built on hills in a distinctive topographic environment with steep valleys. The Old City and its walls are constructed partly on limestone bedrock, partly on fillings. Therefore, different surfaces may be encountered depending on the location. The fillings consist of debris and waste collected over the millennia that constitute nowadays the extraordinarily rich stratigraphic record of its history, which can be retrieved through systematic archaeological research. Whereas the original bedrock provides for easy drainage, these fillings retain water, which can affect the stability and conservation of the buildings.

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<sup>22</sup> Lemaire, Doc. 127 EX/12 Rev. (1987), p. 12.

The city is situated in an area known for its seismic activity. Strong earthquakes were recorded for example in 1564, 1846 and 1927, which damaged key monuments (e.g. al-Aqṣà Mosque). Many smaller earthquakes were reported; the last being a moderate tremor on 11 February 2004 with 4.9 to 5.3 on the Richter scale for Jerusalem and the Dead Sea region according to the European Mediterranean Seismological Centre (EMSC). According to the UNESCO Programme “Reducing Earthquake Losses in the Eastern Mediterranean Region” (RELEMR), major earthquakes can be expected in the future. Due to unregulated interventions inside and outside the buildings, the actual seismic risks for the inhabitants and for the built heritage is increasing.

#### **4.6 Traffic, access and circulation**

Comprehensive traffic management is crucial due to the specific conditions and urban fabric of the Old City, with its characteristic street layout, narrow roads, small pathways and typical street markets and bazaars in a hilly environment. Traffic includes pedestrian movements, private cars, commercial traffic, handcarts and tractors (see paragraph 4.7 on waste management). Therefore traffic restrictions have to find a balance between the concept of the Old City as a living city and the preservation of its characteristic heritage, visual integrity and environmental considerations.

During the past years, the Israeli authorities and the Welfare Association have carried out a number of detailed traffic and circulation surveys. Some of the results of surveys on vehicle ownership and statistical surveys are documented in the Old City Revitalization Plan.<sup>23</sup>

The main traffic and circulation considerations in relation to the state of conservation of the Old City are the following:<sup>24</sup>

##### *(a) Access points*

The state of conservation of the gates is different and some of them need repair work, although previous reports to UNESCO’s General Conference indicate that the overall state of conservation of the gates is acceptable (see also chapter 3.4).<sup>25</sup> As the gates are very narrow and occasionally L-shaped, damages by vehicles can be observed, especially on “Ha Ophel” road and the “Jaffa” road which are both subject to heavy traffic and regular car accidents, as Professor Lemaire stressed in his 1994 report.<sup>26</sup>

##### *(b) Vehicular circulation*

Vehicular circulation through the narrow streets is restricted. Due to the small roads and the street lay out, only one-way circulation is usually possible. The Old City faces major traffic challenges due to peak hours and days (in particular Fridays), as well as effects on pedestrian movements. The analysis by the Welfare Association points out that priority for traffic access was given to certain areas, in particular the Jewish Quarter, whereas other areas were neglected. The overall maintenance of the roads and pavements in the Old City can be considered satisfactory.

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<sup>23</sup> Welfare Association, *Jerusalem Heritage and Life: The Old City Revitalization Plan* (Jerusalem: 2004), pp. 120-127.

<sup>24</sup> See also chapter 4.9 on tourism management.

<sup>25</sup> Lemaire, Doc. 135 EX/11 (1990), p. 8.

<sup>26</sup> Lemaire, Doc. 28 C/19 (1994), p. 6.



*(c) Parking space within the Old City*

The Welfare Association indicates a total of five parking areas within the Old City with a capacity ranging from 10 to 290 cars. Some of the parking spaces can be considered as major visual intrusions, such as the parking space in the Jewish Quarter between Bâb an-Nabî Dâ'ûd (also called Zion Gate) and Bâb al-Maghâriba (also called Dung Gate) near the wall, and the parking area near the Western Wall.

Just outside Bâb al-Khalîl (also called Jaffa Gate) a newly constructed parking space has a capacity of 1,200 cars. In the new Master Plan of the Municipality parking space within the walls will be allocated according to fixed parameters with priority for access, emergency and handicapped, whereas other parking space will be located outside the walls and access will be provided via shuttle routes.<sup>27</sup> The mission was also informed of the possible construction of an underground access tunnel to the parking space in the Jewish Quarter. This project is much cause for concern and needs to be reviewed in order to assess any potential negative effects of the project.

*(d) Mass transportation to and from the Old City*

The mission was informed that a Light Train system the Urban Light Rail would be in place by the end of 2006. The mission saw the constructions carried out very close to the wall of the Old City, which includes two one-way tunnels for cars and the surface infrastructure for the Light Train. The effects of this construction and side effects of the traffic flow (e.g. vibrations) on the walls of the Old City will have to be assessed carefully. The mission was also informed of concerns of the religious communities in the Christian Quarter relating to direct access possibilities into the New Gate after the Light Train installations.

Any changes to the current public transport system (mainly buses) have to take into account the needs of the local population and their access to and mobility within the Old City. Public transport and pedestrian movement are to be given priority over individual cars and private vehicles, whose use should be further reduced. The current traffic flow in the Old City should be further reduced within an overall integrated planning approach.

#### **4.7 Urban environment**

The mission was informed that major improvements took place during the past years with regard to the urban infrastructure, including electricity, water and sewage systems as well as waste management.

The Municipality provides for the collection of solid waste with small tractors and vehicles adapted to the narrow streets and alleys. However, the mission noted that solid waste remains a problem with only a small number of containers and waste bins.

In 1966 the East Jerusalem Development Company was set up with a long-term scheme to improve service networks and infrastructure. Following the extension in 1967 of its activities to the Old City, the East Jerusalem Development Company renovated and replaced the old systems with new sewage and freshwater systems, as well as electricity.

The project covered practically the whole area of the Old City and greatly improved the living conditions of the inhabitants. People can now use freshwater (and no longer rainwater from cisterns). Waste and rainwater are now canalized and disposed in separate sewage and drainage

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<sup>27</sup> Information provided in "Towards a Plan for the Revitalization and Management of the Old City of Jerusalem" (Israel Technical Team, PPT, 2004).

systems. These factors led to improved hygienic conditions and reduction of diseases. The mission was informed that in 30 years about \$100 million were spent for these improvements, including public lights, stone paving of the streets and removal of antennas and installation of cables to enhance the visual integrity of the Old City. In 1991, while the works were still in progress, Professor Lemaire noted that:

*Evidently, this is an important improvement of the quality of life in the Old City where the generally very ancient infrastructures (some sewers dated back to the Roman period and were 2,000 years old!) no longer responded to today's needs for life and hygiene.<sup>28</sup>*

Electricity is provided by two different companies since 1988: the Jerusalem Electricity Company for the Muslim and Christian Quarters and the Israeli Company for the Jewish Quarter. Although power supply is generally good, the replacement of old electricity lines and the future upgrading of the network would be necessary with the increase of the population and economic development.

In combination with these installations the whole road system of the Old City received a new pavement, which improved the visual integrity of the city. The pavement in the Jerusalem white stone is adapted to the small alleys and the topography of the city and allows easy movements for pedestrians, handcarts and tractors. In some areas, ancient pavements have been excavated and were brought to the street level (e.g. at Sûq al-Bâzâr (also called David Street)). This was referred to in previous reports to the General Conference.

The Old City is known as “City of Stone” and natural vegetation is rare. It is concentrated in some private garden areas, including the gardens of the Christian Monasteries, and the traditional olive trees on al-Haram ash-Sharîf as well as the areas inside and outside the walls. A comparison of aerial photos between 1917 and today indicates a considerable increase of trees on al-Haram ash-Sharîf related to the landscaping projects.

#### **4.8 Impacts on the visual integrity**

The mission noted a number of uncontrolled developments, which change the characteristic cityscape, roofscape, and visual integrity of the Old City. There are the following issues, which need to be considered in particular: the roofscape, silhouette and skyline, visual connections and vistas as well as open spaces.

The famous urban landscape of the city is irreversibly affected by a number of high-rise buildings, which can be seen from the key viewpoints of the Mount of Olives or Mount Scopus; the regulation enacted by the British authorities in 1917 to impose the use of stone as a means to preserve the city's unique character has been sometimes undermined by the use of new technologies in building construction and the use of reinforced concrete. The visual links and vistas between the city and other key points around should be taken into account in any planning and construction processes. Some important views from the city to the surrounding landscape have not been adequately protected, for example from the city to the Mount of Olives. This hill is partially crowned by modern private constructions, which are visually intrusive.

A number of new buildings outside and inside the walls are affecting their visual integrity. Professor Lemaire extensively reported on this issue. In his first description of the Mamilla project, Professor Lemaire portrays it as:

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<sup>28</sup> Translated from French (Lemaire, Doc. 26 C/14 Add. (1991), p. 6)

*The largest urbanistic project implemented in Jerusalem in the immediate neighbourhood of the historic city since 1967 and on a site for which at least one part, the “no man’s land”, is contested. It totally modifies the immediate environment on the Western flank of the historic city in developing – following an urban concept – a zone which, it is true, is strongly untidy and has already been much disrupted along this century.*<sup>29</sup>

Four years later in 1994, Professor Lemaire reported on the changes that had taken place in Mamilla as “the most dramatic alteration of the unique landscape that constituted one of the urbanistic treasures of the Holy City.”<sup>30</sup>

The new Master Plan of the Municipality set out certain principles to include these visual corridors. Insofar as these visual and historic connections are not yet destroyed, the important vistas should be recognized and protected against further damage. The characteristic roofscape, silhouette and skyline of the Old City have to be protected from rapid development and major transformation to maintain its historic character and visual integrity.

#### **4.9 Tourism management**

The Old City of Jerusalem is not only one of the key tourist destinations in the world, but also foremost a sacred site for three monotheistic religions with an outstanding built heritage of monuments and sites. These places see high concentrations of both pilgrims and tourists. At the same time, tourism is not only concentrated at certain key areas, but also along specific routes, such as the Via Dolorosa for Christian tourists, the Western Wall for Jews, and al-Ḥaram ash-Sharīf for Muslims.

Tourists are not continuously coming throughout the year, but the Old City has to face peak seasons at Ramadan or at Easter by millions of pilgrims of the respective religious beliefs. To accommodate these is a major challenge for the visitor management and the safeguarding of the heritage of the Old City.

The hotel, guest house and other accommodation facilities were increased over the years to accommodate the demand by tourists and pilgrims, which led to new constructions, additions to existing facilities and an increase of hotels outside of the Old City. According to the Welfare Association (2004) there are 636 hotel rooms with 1,543 beds in the Old City. It is also noted that, due to the current economic and political crisis and resulting reduction in tourism, some facilities had to close down. According to the new Master Plan, the expansion of tourist-oriented uses as accommodation, commercial and cultural facilities is foreseen by the re-use of residential properties, which would lead to a reduction of residential areas in the Old City.

The *on-site tourism facilities* in the city (e.g. restrooms, public conveniences, drinking water fountains, shade constructions, first aid stations and information kiosks) are limited and need to be reviewed as to whether they are adequate for the number of tourists and to avoid any visual intrusions in particular at holy places.

A number of *interpretation sites* have been developed in recent years, such as the Jerusalem Archaeological Park devoted to the archaeological excavations of the past 130 years at the Western and Southern Walls of the al-Ḥaram ash-Sharīf. This Park is an open-air museum, which includes the newly constructed Davidson Exhibition and Reconstruction Centre with digital and other models of the archaeological remains. The mission noted the opening of a new gate in the wall next to Bâb al-Maghâriba (also called Dung Gate) to create a pedestrian access for visitors to the

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<sup>29</sup> Translated from French (Lemaire, Doc. 135 EX/11 (1990), p. 6).

<sup>30</sup> Translated from French (Lemaire, Doc. 28 C/19 (1994), p. 7).

Archaeological Park. Another interpretation centre is located in the Citadel, which contains sound and light shows for visitors as well as a large-scale model of Jerusalem constructed in the nineteenth century. In the past years parts of the walls have also been opened to visitors, the so-called Ramparts Walk (with the exception of al-Haram ash-Sharîf).

Despite the efforts made to enhance the quality of the visitor experience, improvement remains possible in some fields, notably on the issue of the presentation of the complex history of the site. Due to the political and cultural circumstances, each information centre provides different information on selected sites. There is no comprehensive visitor and interpretation centre for the Old City as a whole. There also seems to be no coordination between the different tour operations and no training in interpretation of the Old City as a UNESCO World Heritage site.

In the light of the above points, the mission suggests to carefully assess the tourism situation in the Old City by analysing existing studies and recommendations on visitor carrying capacity and pilgrimages, including quotas, access times, staging of festivities and alternative sites.<sup>31</sup> This assessment should take into account ascertained and potential dangers due to over-visitation at certain periods and include visitor safety considerations. An overall survey on the tourism infrastructure, carrying capacity of the Old City and specific key sites (e.g. Holy Sepulchre) could benefit all parties concerned and could lead to an appropriate high quality presentation of the Old City. Only a coherent management of the unique resources of the Old City and its Walls could ensure that tourism benefits both local communities and the conservation of the site.

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<sup>31</sup> *Ibidem*, p. 404. Dumper also suggests a pilgrimage coordinating body as well as a research and training body to monitor trends and patterns.

### 32 C/Resolution 39 adopted by the General Conference in October 2003<sup>1</sup>

*The General Conference,*

*Referring* to 31 C/Resolution 31, as well as to the provisions of the four Geneva Conventions (1949), The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and the related Protocol and to the Convention for the Protection of the World Cultural and Natural Heritage (1972), the inscription of the Old City of Jerusalem on the World Heritage List and on the List of World Heritage in Danger and the recommendations, resolutions and decisions of UNESCO on the protection of the cultural heritage,

*Affirming* that nothing in the present resolution, which aims at the safeguarding of the cultural heritage of the Old City of Jerusalem, will in any way affect the relevant United Nations resolutions and decisions, in particular the relevant Security Council resolutions on the legal status of Jerusalem,

*Taking note* of document 32 C/15 concerning Jerusalem and *drawing attention* to the difficulties encountered in the implementation of 31 C/Resolution 31,

*Noting that:*

- (a) despite the sustained and praiseworthy efforts of the Director-General to implement the resolutions of the General Conference and the decisions of the Executive Board on the safeguarding of Jerusalem, little or no progress has been observed in this regard,
- (b) since it is recognized that certain dangers imperil some parts of the cultural heritage of the Old City of Jerusalem (al-Quds), it is necessary to safeguard monuments and historic sites in a spiritual, cultural and demographic context that, because of both its diversity and its harmonious complementarity, constitutes the unique character of Jerusalem as a symbol of the heritage of humanity as a whole,
- (c) concerning the technical mission entrusted to Professor Oleg Grabar, the Israeli authorities have indicated that while they were willing to consider this initiative, they were not able to take any action on it for the time being,

*Recalling* its decisions on the subject and *inviting* the Director-General to pursue his efforts for their implementation,

1. *Reiterates* its support for the initiative announced by the Director-General at the 31st session of the General Conference to prepare a comprehensive plan of action to safeguard the cultural heritage of the Old City of Jerusalem; in that connection, recalling the decision taken by the World Heritage Committee at its 27th session, *invites* the Director-General to set up, as soon as possible, in cooperation with the concerned parties, a highly qualified and purely technical mission to Jerusalem, concerning the state of conservation of the cultural heritage of the Old City of Jerusalem and its walls and *requests* the Director-General to establish, within a year, an equitably composed committee of experts to be entrusted with proposing, on an exclusively scientific and technical basis, guidelines for this plan of action and proposals for its implementation; *invites* the Israeli authorities to take the necessary measures in this regard;
2. *Invites* the start up, within a time frame compatible with the urgency of the situation, of the work to consolidate, restore and rehabilitate the interior of the al-Haram ash-Sharif, in particular the Ashrafiya Madrasa and the centre for the conservation of historic manuscripts, projects for which preparation is completed and funding available thanks to a generous contribution by the Kingdom of Saudi Arabia;
3. *Requests* also speeding up the establishment, within the Al-Quds University, of an archaeological training centre for which UNESCO, on the basis of a proposal by ICCROM, has developed a programme, a schedule and functioning modalities and *expresses the wish* that this project will reinforce the cooperation between the concerned institutions in Jerusalem;
4. *Reiterates* its appeal to States, organizations, institutions, legal entities and private individuals to contribute financially to the special account for the safeguarding of the cultural heritage of the Old City of Jerusalem, in particular for activities in favour of the preservation of all religious and historic monuments in need of restoration, in all parts of the Old City of Jerusalem as well as training and capacity-building in the field of restoration, preservation of monuments and sites, museum, archives and manuscripts, while at the same time thanking Italy for its cooperation;
5. *Requests* governmental and non-governmental organizations and institutions to observe UNESCO General Conference resolutions and Executive Board decisions relating to Jerusalem;
6. *Invites* the Director-General to present a report to the Executive Board at its 170th session;
7. *Decides* to include this item in the agenda of its 33rd session.

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1. Resolution adopted on the report of Commission IV at the 21st plenary meeting, on 17 October 2003.