מדינת ישראל
ארכיון המדינה

חץ

משרד החוץ

ירושלים ארגונים בינ"ל
אונסקו
בין א

נפתח: 1.4.94

נסגר: 31.3.95

4/6/85

Arf. ורפ. לבלן ?

ר"ת אונסקו

בברכה

נפתלי קדרון • הנדסה בנין בע"מ
רחוב הנביאים 54 • ירושלים • טל. 225293
רחוב אלזה 2 טל. [redacted]

Prof. Dr. JACOB GLÜCK
STRUCTURAL AND EARTHQUAKE ENGINEERING
39, HESS ST., HAIFA 33397

PHONE: HOME 64 41 56 טלפון: בבית
TECHNION 29 30 47 בטכניון

פרופ. ד"ר יעקב גליק
הנדסת מבנים ורעידות אדמה
רחוב הס 39, חיפה 33397

Date 3.4.1985 תאריך

לכבוד
מר מ. זליקוביץ
מנהל המחלקה למקומות קדושים
המשרד לעניני דתות
ירושלים

6.11.1985

א.נ.,

הנדון: חוות-דעת מקצועית על עבודות חשיפת הכותל

חוות-דעת זו מבוססת על בדיקות שערכתי באיזור הכותל והרובע המוסלמי בשני ביקורים במקום ומשיחות ממושכות עם כל הגורמים הנוגעים בדבר. האחראים לביצוע העבודות במקום, עיריית ירושלים, הפועלים שמבצעים את העבודות בפועל מאז התחלת עבודת החשיפה, האגף לארכיאולוגיה ומהנדס יועץ לעבודות החשיפה.

1. כללי

כל השטח של הרובע המוסלמי המשתרע לאורך הכותל וניצב לו נמצא בערך בגובה של 10-12 מ' מהחשתית הסלעית עליו מבוסס הכותל. האדמה לכל הגובה היא מילוי משולב עם בניה עתיקה מתקופות שונות. רוב הנפח של האדמה ספוג עם חומר אורגני שמקורו מבורות הספיגה שקיימים במקום מתקופה עתיקה. תכונות החוזק של האדמה הזאת משתנות עם שינוי ברטיבות. עד לביצוע עבודות הניקוז והביוב והתקנת מערכת אספקת המים לאחר מלחמת ששת הימים, היה קיים במקום משטר של רטיבות הקרקע אשר הושפע רק מבורות הספיגה והגשמים. הצפת בורות השופכין וזרימה תת-קרקעית של מי הגשמים גרמה בעבר לעירעור יציבותם של מבנים רבים באיזור. ע"י הכנסת מים זורמים מצד אחד וניקוז השטח מצד שני נוצר מצב יציב יותר ב הרטיבות של הקרקע, אך עדיין יש סבירות להווצרות שקיעות קרקע מקריות באיז מסויימים. כאשר השקיעה שוה לשטח גדול הדבר בדרך כלל לא גורם לנזקים. במקרה ומבנה נשען הלקית על אדמה בעלת נטיה לשקוע וחלקיה על מבנה ישן קבו שלא שוקע, או כפי שהדבר בולט במבנים הגובלים עם הכותל אשר בחלקים נשענים הכותל המהוה סמך יציב ובחלקים על אדמה שנוטה לשקוע, אזי יכולים להווצר שקיעות דיפרנציאליות. היות ומדובר כאן במבנים מאבן שהם מאד קשיחים, הם א מסוגלים לעמוד בשקיעות דיפרנציאליות אלו. חלק ניכר של סידוק מבנים באיז הזה בשנים האחרונות מקורם בסיבות אלו. רעידות אדמה שפקדו את האיזור מזמ לזמן הם הגורם שהביא להחלשת המבנים.

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Date תאריך

2. המנהרה - וההשפעה על הסביבה

המנהרה צמודה כמעט לכל אורכה לכותל פרט למקומות בהם חדרה לתוך אולמות או חדרים שהיו מלאים עם עפר ופסולת אורגנית. פרט למקום אחד (עליו אתיחס מאוחר יותר בפרק על בנין הווקף) לא מצאתי כל סימן לסדקים בתקרות בצורת קימרון או בקירות. כמו-כן לא מצאתי הזזה אשר יכולה היתה לשנות את יציבות קרקע היסוד של המבנים הנשענים על האולמות. ברצוני לציין שהעפר שהוצא מהאולמות והחדרים אף פעם לא שימש להעברת עומסים לתשתית הסלעית היות והקשיחות האנכית של תקרות הקמרון הרבה יותר גדולה מאשר של העפר. מכאן שכל העומס שהגיע לתקרה הועבר ישירות לקירות ומשם ליסוד הסלעי מבלי להטריח בכלל את העפר שהוצא. מבחינה סטטית העפר שהוצא לא מילא כל תפקיד של חוזק. ממעמי זהירות במקומות שהתעורר חשש של התסבולת הצידית של הקירות הם נעטפו חלקית בבטון וע"י זה הובטחה העברה ישירה של העומס לתשתית הסלעית.

ביצוע המנהרה גופה נעשה בצעדים של 50-60 ס"מ. עם גמר חפירת אורך של 50-60 ס"מ הותקנו מידית החיזוקים, האדמה והאבנים הוחזרו לחלל בין החפיר והחיזוקים. החיזוקים עשויים חלקית ממסגרת פרופילי פלדה ופח בעובי 10 ובשנים האחרונות מאלמנטים טרומיים. מבדיקה שערכתי לא הבחנתי בכל סימ שהיה מעיד על תנועה כלשהי של החיזוקים.

3. סדקים בבנינים ברובע המוסלמי

רוב הבנינים באיזור הרובע המוסלמי "צפים" ע"ג תשתית בלתי הומוגנית אשר מצד אחד יש שכבות עפר המגיעות עד לתשתית הסלעית ובחלקם קיימות שכבות של מבנים עתיקים מתקופות שונות. כתוצאה משינוי משטר הרטיבות של הקרקע וכתוצאה מהכנסת מים זורמים ומערכת ביוב מצד אחד ודליפות של מים מצנורות הביוב או אספקת מים מצד שני, מתקבלת תשתית שהתכונות המכניות שלה השתנו בשנים האחרונות. באיזורים בהם הקרקע הומוגנית שינוי הרטיבו יכול היה לגרום לשקיעה אחידה של המבנה מבלי לגרום לנזקים. באיזורים ה הומוגניים של התשתית שקיעות הקרקע אינן אחידות ויכולות להווצר שקיעות דיפרנציאליות. הבניה הקשיחה מאבנים אינה עמידה בשקיעות דיפרנציאליות

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והדבר מוביל לסדיקת המבנה שחומרתו תלויה בתכונות החוזק של הבנין וגודל השקיעה הדיפרנציאלית. הדבר הזה מסביר למה מבנים שרחוקים עד כדי 80 מ' בניצב לכותל סדוקים לעומת מבנים שעל יד הכותל לא סדוקים. בגלל אותה סיבה המבנים שבחלקם נשענים על הכותל ובחלקם על תשתית שוקעת סדוקים עו מועמדים לסדיקה.

לדוגמה, בנין הג'והריה בנקודה הקרובה ביותר לכותל, מרוחק כ- 12-13 מ' באלכסון במישור האנכי מהמנהרה. היסוד של המבנה שמימדיו במישור האופקי גדול, מבוסס על תשתית בלתי הומוגנית רגישה לשינוי ברטיבות. יצוב במשטר הרטיבות לאחר השינוי הדרסטי שחל בשנים האחרונות כתוצאה מאספקת מים זורמים ומערכת ביוב, הוא תהליך איטי שאי-אפשר לחזותו בגלל חוסר הידע על הרכב התשתית. אין לי כל אפשרות להצביע על קשר בין הסדקים בבנין הג'והריה וחפירת המנהרה.

4. <u>בנין הווקף (המג'לפ)</u>

הבנין משתרע לאורך כ- 37 מ' בכיוון מקביל לכותל ולמרחק 14 מ' בניצב המנהרה כאן בעומק של כ- 9 מ'. זה המקום היחיד שבו אני יכול להצביע על קשר בין חפירת המנהרה ונזק לבנין. הנזק היה שקיעת מספר מדרגות כתוצאה משקיעת התשתית עליהם היו מונחים. בזמן החפירה של המנהרה כאשר הגיעו לאולם אשר נמצא מתחת למדרגות (ראה תכנית מס' 5) והחלו בהוצאת העפר מן האולם כפי שהדבר נעשה באולמות קודמים בתקוה להגיע לתקרת קמרונות אולם כאן כפי הנראה התקרה הזו נהרסה בזמן בנית בנין הווקף או קודם לכן והגיעו עם החפירה עד סמוך למדרגות הווקף.

ואז שקעו המדרגות והדבר גרם לעירעור קרקע היסוד באיזור הצמוד למדרג התיקון שבוצע ע"י יציקת תקרת ביניים מבטון מזוין והשענת המדרגות על פלטה מבטון מזוין נראים לי כפתרון הנדסי נכון לעצירת הופעת נזקים נ בכדי לעמוד על מידת יציבותו של המבנה לאחר התיקונים שבוצעו הותקנו בשני מוקדים מדי עיבוריים מכניים לאורך הסדקים למדידת פתיחת הסדקים אם הם עדיין פעילים.

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שני המוקדים הם: (ראה תכנון בנין הווקף)

א. מוקד 1 - באיזור המדרגות שהנזק הוא תוצאה של פינוי העפר. מדו"ח העיריה על המדידות שנעשו במוקד זה יוצא שהשקיעות נרגעו ומהוות היום כ- 2% מהשקיעות בתקופה הפעילה ביותר. יש סימנים ברורים שהתשתי התיצבה, אולם יש להמשיך ולעקוב אחרי הסדקים ולמדוד את התפתחותם ולהש את התוצאות עם אלו שנמדדו מקודם. ברגע שיש עדות על האצה בהתפתחות הסדקים יש להפעיל באופן מידי תוכנית לחיזוק תשתית היסודות.

ב. מוקד 2 - באיזור מעל לאולם מס' 151. תקרת האולם הזה עשויה בצורת קמרון בלי כל סימני שקיעות או סדקים. פירושו, שהתשתית עליו מבוסס או זה לא שקעה. אי-לכך אין ליחס את הסדקים בקומה מעל לאולם זה לשקיעו התשתית שמעל למנהרה. ברצוני לציין שבקרבת המקום מספר מטרים מהמנהר קיים בור מים בשימוש שאולי מחלחל ושינה את רטיבות התשתית באיזור. מדו"ח העיריה מתברר שהתקדמות הסדקים היא איטית מאד אבל עדיין לא מתרסנת. הדבר מצביע שהגורם נובע כנראה משינוי מתמיד של התכונות המכניות של הקרקע עקב שינוי הרטיבות במקום. בשלב זה אינני רואה סכ לנזקים, אולם יש להמשיך ולעקוב אחרי התפתחות הסדקים ולהשוות את הת עם אלו שנמדדו קודם. ברגע שתהיה עדות על האצה בהתפתחות הסדקים יש לפעול באופן מידי לחיזוק התשתית באיזור זה.

ס י כ ו ם

את המצב הרעוע של מספר מבנים ברובע המוסלמי ניתן ליחס בעיקר לתופעות ד

1. משטר הרטיבות הבלתי הומוגני של התשתית, אשר עד שיגיע לרדיסטריבוצי העומס על הקרקע יש לצפות לשקיעות דיפרנציאליות.
2. רעידות אדמה שפקדו את האיזור במשך הזמן, והחלישו את המבנים.
3. חוסר תחזוקה וארוזיה עם הזמן.
4. פרט לשקיעת המדרגות בבנין הווקף איני רואה קשר בין חפירת המנהרה והנזקים ברובע המוסלמי.

בכבוד רב

י. גליק

העתק: איינג' נ. קדרון
הנביאים 54, ירושלים.

ר' אונסקו

סודי

6.111 אונסקו

ל' בסיון תשמ"ה
19/6/85

אל: מר מאיר שמיר, הנציג הקבוע ליד אונסק"ו

מאת: מנהל ארב"ל 3

הנדון: דו"ח מומחה מהסכנפירון על חפירות הכותל
מכתבי 273 מיום 21.4.85

1. במכתבו אליך מיום 8.5.85 מתיחס פרופסור ריימונד מ. למייר אל מכתבך מיום 29.4.85 ומעלה, בין היתר, את ספקותיו ואת הסתיגויותיו הידועות למנהל פרופסור ישראלי לחבור דו"ח כנ"ל.

2. בינתיים העביר מר נפתלי קדרון (מהנדס הבניין האחראי לחפירות הנ"ל) לידי גב' יעל ורד את דוחו של פרופסור יעקב גליק, ראש הקתדרה של הנדסת מבנים בטכניון העברי על חפירות מנהרת הכותל.

3. לדברי גב' ורד, שכבר קראה את הדו"ח, קובע פרופסור גליק, בין היתר, את ממצאיו הבאים:-

א. התקונים /חזוקים שפוצים שנעשו במינהרה מניחים את הדעת.

ב. תקלות שארעו בבנינים שמעל המנהרה לא נבעו מן החפירות פרט לכמה נזקים בכמה קטעים בבניין הווקפסלבות קטע מהמדרגות.

ג. יש להוסיף ולקיים מעקב אחר ההתפתחויות במינהרה ומעליה.

4. לדעתך הבלעדית - התרשמות גב' ורד הינה שמסקנות הדוח אינן מבוססות ומתועדות דיין. במלים אחרות בדו"ח אינו משכנע מבחינה מדעית -אקדמית טהורה. אין איפוא, אפשרות להסתייע בו בצורה הולמת ונאותה.

5. רעיון אחד שנוכל לשקול בעתיד - אם אמנם תהא נכונות לקבל את פרופסור למייר בשליחותו השנתית הבאה (נוכח החלטות ועדת הועה"פ ב-23.5.85 לגבי ירושלים) - יתכן שניתן יהיה להפגישו עם פרופסור גליק.

ב ב ר כ ה ,

דוד בן-דב

העתק: גב' יעל ורד יועץ לשה"ח
מר פנחס אליאב, ראש אגף ארב"ל

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new; it appears to have begun shortly after the visit of President Sadat to Jerusalem and the intention had been to put it into effect before the return of Sinai to Egypt.

A number of factors delayed the implementation of the plot including fears on the part of some concerning the international consequences of such an act. The strengthening of the Israeli guard at the entrance to the Haram following the attack carried out by Alan Goodman on 13 April 1982 made it more difficult to execute, and there were apprehensions among the conspirators at having to shoot at Israeli soldiers. Moreover, rumours of possible attacks had led the Israeli Government to strengthen the guard around the Haram still further.

The government takes an extremely serious view of this matter. All those involved have been arrested. Two of the conspirators, who pleaded guilty, have already been sentenced - one to ten years' imprisonment, the other to sixty months. The trial of those who have not pleaded guilty will begin next September.

4. The excavations

4.1 The tunnel dug, under the auspices of the Religious Affairs authorities, beneath the Arab properties along the western wall of the Haram al-Sharif is in the same state as on my previous visit in November 1983, except for the fact that consolidation work using reinforced concrete has been carried out along three-quarters of the section dug during 1982 and 1983. This work has been supervised by the engineer N. Kidron and appears to have been solidly carried out in accordance with correct engineering procedures. It will probably be completed in two months' time. The tunnel's present length, from the arcade under the Al-Madrasa Al-Tankīziyya, is, according to Mr N. Kidron, 305 metres.

A new and very important element in this situation is the decision taken by the Prime Minister and the Minister of Religious Affairs to halt all work in the tunnel, except that required for consolidation and maintenance purposes. Following my last visit to the site, the Director-General of the Ministry of Religious Affairs had ordered a halt to the work. That order was confirmed by the Ministerial decision reported in the journal 'Haaretz' of 22 April 1984. The decision was taken following energetic representations by Mr T. Kollek, Mayor of the City, to the authorities concerned after serious damage had been detected in the Al-Madrasa Al-Manjakiyya, the headquarters of the Islamic Council of Jerusalem, which is situated above a section of the tunnel dug in 1983.

As was to be expected, the digging of the new section of the tunnel has caused movements in the mass of rubble and filling material extending to a height of some nine metres above the Roman soil level followed by the excavation. The same phenomenon had already occurred following the digging of the first part of the tunnel, which is at the root of the settlement and cracks to be found in a number of buildings constructed above, some of which form part of the fundamental Islamic heritage of Jerusalem. Of these, the Al-Madrasa Al-Jawhariyya and the Al-Kurd Hospice were the subject of comments in most of my reports in the period 1971 to 1976. I pointed out last November that movement was taking place in the Al-Madrasa Al-Manjakiyya, among other places in the great staircase and in certain walls and vaults. Since then, some of the cracks have worsened. More serious still is the collapse last April of part of the staircase; some of the steps have fallen into a hollow created by the movement

of the soil above the tunnel. The Al-Madrasa Al-Manjakiyya is situated above a widened section of the tunnel which at that point incorporates some high cisterns whose vaulting was considerably weakened and therefore constitutes a fragile infrastructure for the building above it. Since the level at which the tunnel was dug remained constant, the result is that at certain points the earth has been excavated well below the walls of cisterns. These therefore rest on banked-up rubble which, though well compacted, is cut off vertically in the plane of the walls. I noted this very dangerous situation in November 1983 and at that time issued a serious warning about it. Since then everything has been consolidated by a reinforced concrete sheathing. In my opinion, the structure of the tunnel is now solid and there is no danger of the building above it collapsing. However, it is very probable that slight movements will continue to cause cracks in the edifice for some time to come, probably for several years. The case of the Al-Madrasa Al-Jawhariyya, to which I shall return later, is a good example of such a process.

The staircase has been repaired according to correct engineering procedures and the entire building is under observation. Proposals for consolidation have already been made by Mr Kidron: they are completely inadequate from the structural point of view. In addition, they take no account of the fact that the Madrasa is a historical monument and that any work done should follow the rules prescribed for such edifices. But, from the point of view of stability and security, there appears to be no urgency. It is preferable to wait until the probable movement of the subsoil has stopped. In the interim, it would be advisable to carry out a complete expert survey of the building, and, depending on the results of such a survey possibly some temporary works. Given the importance of the building both as a monument and because of its symbolic significance (as the headquarters of the Islamic Council), I think it desirable that the survey should be carried out by a specialist engineer acceptable to both parties - the Waqf and the Ministry of Religious Affairs, which is responsible for the damage. In view of the tense atmosphere between the parties concerned, it is unlikely that an Israeli engineer would be acceptable to the Arab side. The choice of a foreign specialist would therefore seem to be the best solution. His report, describing the state of the building in detail, would serve as a reference document for the future; it should also contain whatever suggestions were necessary to ensure the stability of the building in the short term.

The idea of a survey seems to have been accepted on both the Israeli and the Waqf sides. The Israeli authorities favour the appointment of an engineer from the Technical University of Haifa. For the reasons given above, it is desirable that they should accept without delay the appointment of a foreign engineer, preferably an English speaker.

No precise chart of the tunnel, other than a partial surface map, seems to exist at present. This map does not show the location of the buildings above. Several requests have been made for a series of vertical cross-sections of the tunnel and the buildings above to be drawn. Such cross-sections would make for a better understanding of the processes taking place in certain buildings and would make it possible to identify in advance danger zones where precautionary measures should be taken. It is strongly recommended that such cross-sections be drawn up as soon as possible.

It has also been frequently suggested that those in charge of the tunnel should invite the Waqf engineers, Messrs A. Husseini and I. Awad, to inspect the tunnel and the substructure at the foot of the southern wall of the

Haram at least once a year in their company. Such an inspection would help to clarify the situation and would ease the tensions surrounding the question of the tunnel and possible extensions under the Haram. When I spoke about this question with Minister Y. Burg on 6 April 1983, I believed that the principle of such an inspection had been accepted. However, it has not been authorized at the time of writing.

It is regrettable that the tunnelling, which constitutes an excavation in the deep subsoil of Jerusalem, has not been monitored by an experienced archaeologist. While not directing the work, which is in principle regrettable and can only be condemned, he could have been responsible for recording in scholarly fashion the archaeological information yielded by the subsoil. Now that the archaeological remains exposed by the digging have been covered for ever by concrete reinforcements, whole pages of the ancient history of Jerusalem may be lost for all time.

4.2 The work on the Ophel hill is practically complete. It consisted not so much of fresh excavations as of the cleaning, consolidation and presentation to good effect of the remains of the first Jerusalem wall brought to light by Kathleen Kenyon in 1961-1967. The area excavated by her has been slightly enlarged, mainly on the land acquired during the British mandate by the Rothschild family. Professor Y. Shilo, who directed the work, confirmed to me that no fresh excavation is planned on this site. According to him the whole operation, including removal of the unstable, rubble, is coming to a close.

A system for monitoring the stability of the most critical area has been set up. Several clinometers have been installed on the slopes of the hill, which will make it possible in future to keep a check on any movements of old excavation rubble left in situ and to take action where necessary.

4.3 The second-century Roman remains at the Damascus Gate have been entirely uncovered. They can be reached beneath a concrete apron on which are laid the tiles of the small square within the walls behind the gate. New shops have been constructed and others renovated in this busy Arab commercial area. The Damascus Gate excavations were begun during the British mandate. The interiors of the flanking towers, one of which contains an Umayyad oil mill, have been cleared out over the last five years and the work is complete.

4.4 At the present time, it is to be noted that all the excavations have been halted inside and in the vicinity of the old city of Jerusalem. Except for the tunnel near the Haram al-Sharif, where work resumed two years ago after an interruption of nearly ten years, no notable excavation has been carried out since 1979. Since then, only occasional soundings connected with infrastructure or safety work have been made in the city.

For the first time, a governmental decision to halt excavations has been taken. It has the digging of the 'tunnel' in view. Furthermore, no other excavations are announced for other sites. What is new is the statement that no further excavations will be carried out on the Ophel site, where it was previously feared that a vast plan was going to be carried out in addition to the clearance work necessary for safety reasons.

5. The work on providing amenities and public areas is continuing in the old city but is proceeding more slowly than before. It chiefly comprises:

5.1 The renewal of sewers and pavings. Since November 1983 the work has been mainly taking place in the Christian quarters of the city, between the Holy Sepulchre and the Damascus Gate. As in every other part of the city, the new paving consists of slabs of natural Jerusalem stone. In several places, parts of the Roman paving discovered when the sewers were being renewed have been brought up to the present street level. Throughout the Armenian and Christian quarters, the television aerials have been removed and replaced by a cable distribution system.

5.2 The establishment of the green belt around the Wall of Süleyman the Magnificent is being completed. Work has been under way since 1968 and has consisted mainly of clearing rubble, uncovering the wall to its original height and, possibly, the rock on which it rests, planting trees and shrubs and, in the southern part where the wall runs through the City of Herod which extended well beyond the present limits, carrying out excavations described in many previous reports. All these excavations were halted several years ago except for a recent sounding between the Damascus Gate and Herod's Gate, where fragments of the glacis which protected the city wall in Crusader times have been brought to light.

6. Birkat Israel. Public works on this site, which covers the location of one of the largest open-air water cisterns of the ancient city, is at present a cause of tension between the municipality and the Waqf. The cistern was filled in at the beginning of the century and its site is now occupied by a car-park and by temporary UNRWA huts. The whole area looks extremely shabby. The Waqf, which is the owner of this site, and the municipality are in agreement over the need to do something about it since the site is in the neighbourhood of the Lion Gate used by millions of Muslim and Christian pilgrims. Talks are under way between the two parties on a project to satisfy both. As the Waqf leaders see it, it is important that property and tenure rights should in no way be called in question. They therefore consider that the plan approved by both parties must be carried out by them and at their expense. They also consider, rightly, that this work should show the inspiration of Islamic art.

7. The Al-Madrasa Al-Jawhariyya has been regularly examined by me since 1971. It will be remembered that the building, which dates from the fourteenth century, stands over the oldest section of the tunnel and its stability has been seriously impaired in recent years. The ground appeared to be stabilized but in the past few months, new movements have been observed which have caused the subsidence of a number of stone courses at the base of the wall supporting the covered passageway to Ribat Kurt. The recent ground movement caused by the digging of the tunnel, nearly ten years after the placing of permanent supports, shows how dangerous this type of work is, even when carried out with care, and how long the stabilization period can be after ground has been disturbed by excavations. This leads one to be cautious in assessing the extent of the damage caused to buildings.

The Al-Madrasa Al-Jawhariyya was given temporary strengthening a few years ago The work was carried out using a very crude technique, which although it did indeed stabilize the building, also led to extensive damage to the interior, chiefly in the upper rooms where the walls were reinforced with substantial concrete slabs to which the masonry outside was tied. Things cannot stay as they are, because this can in no way be described as the full and scientific restoration of the building that those responsible for the damage agreed to undertake. When the mayor of the city was informed of this, he decided to open talks with the Waqf and the Ministry of Religious Affairs so that the restoration can be undertaken without delay, by acknowledged specialists in co-operation with the architects of the Waqf.

8. The Citadel is one of the chief monuments of Jerusalem. It comprises elements of widely varying date, extending from the Hasmonean era to the Ottoman era. Major excavations have been carried out at various periods within the great central courtyard. The most recent were carried out in 1968-1969 under the direction of A. Amiran and A. Eytan. They brought to light many substructures, frequently of great interest from the point of view of the history of the site and the city. These remains have not been covered over but have been strengthened and partially restored. They give an appearance of clutter and seriously detract from the monumental form and indeed from the architectural comprehensibility of the Citadel. The present arrangement is thus scarcely advantageous to the building. It would be desirable for a scheme more consonant with the site to be studied and put into effect. This might be provided by a concrete platform coinciding with the original soil levels at the time of the construction of the Citadel and covering the most interesting parts of the excavations, which would still be accessible to specialists. An outline in natural materials of different colours, set into the paving of the courtyard, would give visitors to the monument an idea of its archaeological history.

9. Work on the Haram al-Sharif

9.1 Restoration work on the Al-Aqsa Mosque is continuing. The restoration of the cupola has been completed and is of very high quality. The mosaics on the great arcades and pendentives need to be consolidated and restored. It is very much hoped that the help of an expert on the restoration of ancient mosaics will be available before the work is undertaken. Expert advice is also required for the covering of the exterior of the dome with lead plates. These have been reconstituted to the original measuresments, using old lead. There is, however, no worker specialized in laying this type of covering available on site to teach local workers the techniques involved.

9.2 The restoration of the Dome of the Chain is being studied. The twelfth-century ceramic tiles have been carefully removed.

9.3 The restoration of the Golden Gate is nearing completion. The building has been cleaned and repointed with lime grouting. The work has been carried out in compliance with normal standards. It is perhaps regrettable, however, that the ancient flagstone paving should have been repointed with dark grey cement. From the technical standpoint, this is no doubt a good idea since cement mortar is more resistant, but the result is aesthetically unpleasing.

9.4 I revisited the Stables of Solomon, which are one of the most remarkable sites in the Haram al-Sharif. The derelict state of the huge underground vaults is distressing. They have been taken over by the pigeons, which are the cause of damage resulting not only from soiling by a thick layer of droppings but also from the action of harmful salts deriving from those excrements, which may eventually endanger the stones of the building.

10. The Department of Islamic Antiquities of the Waqf is pursuing the task of drawing up a systematic inventory of the Islamic monuments of the Old City. This inventory includes very exact, large-scale architectural drawings of the most outstanding buildings. Several dozen monuments have been most carefully surveyed in this way.

11. Cleaning, consolidation and conservation work has just been started at the Al-Madrasa Al-Kilaniyya, one of the most important Mameluke monuments of

the lower city. The programme of work as outlined to me by Mr Natsheh, is indicative of well-advised caution, in the absence of the specialized work-force required to embark on proper restoration work on a monument of this nature.

12. Considerable efforts have been made in recent months by Mr K. Salameh, the Director of the Al-Aqsa Library. A great many manuscripts have been microfilmed and two catalogues published. There can be no doubt, however, that the situation remains critical as regards the state of conservation of many manuscripts suffering damage from mould and insects. According to Mr Salameh, the situation is equally disquieting in other depositories in the city. No equipment or specialized staff are available locally to give the works the necessary treatment. Urgent measures are required if basic source material concerning the history of Jerusalem is to be saved. In that connection, it might perhaps be desirable to consider the possibility of bringing all the Arab manuscripts of Jerusalem together centrally in one of the buildings of the Haram, which should be equipped for the treatment and conservation of books. Given the humid conditions in all the ancient buildings on the site, the equipment required would certainly need to include an adequate air-conditioning plant. The purchase of equipment for treating the books and the training of specialized staff are both matters of great urgency. A report on the question was drawn up in April 1983 by Mr G. Brannahl, President of the International Association of Archives, Library and Graphic Art Restorers.

13. A Museum of Palestinian Folk Arts and Folklore was established in 1979 in the Islamic Cultural Centre in Jerusalem. It is being most devotedly managed by Mrs Z Husseini. Many traditional costumes and everyday objects or things used in crafts which have disappeared or are disappearing have been assembled there. The museum has no proper basic equipment and is short of specialized staff more particularly for the conservation and restoration of fabrics. The curator's task is made very difficult by the fact that the museum has no independent financial resources. There can, however, be no doubt that the establishment of this museum was timely, since the very radical changes that are at present taking place in the Arab society of Jerusalem seem likely to result, very shortly, in the disappearance of many customs, particularly as regards traditional costumes and domestic equipment. It is important for the history of Arab culture in Jerusalem that evidence of these should be preserved.

Professor R.M. LEMAIRE
4 August 1984'

IV. APPLICATION OF THE CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT (THE HAGUE, 14 MAY 1954)

10. At its 114th session, the Executive Board was informed, firstly, that Professor H.R. Sennhauser (of Swiss nationality) had agreed to carry out the functions of Commissioner-General for Cultural Property accredited to the Government of Israel and, secondly, that the steps taken with a view to the appointment of a Commissioner-General for Cultural Property to be accredited to the Governments of the Hashemite Kingdom of Jordan, Lebanon and the Syrian Arab Republic had had to be started afresh, since Professor C. Brandi (of Italian nationality) had been unable to accept the appointment. As soon as these steps have been successfully completed, the Director-General will make the necessary arrangements to enable the Commissioners-General to discharge their task at the earliest possible date.

י"מ אונסקו

6.111 אונסקו

ירושלים
2/6/85

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281

אל: מר מאיר שמיר, הנציג הקבוע ליד אונגק"ו פריס

עתק: מנהל ארב"ל 3

הנדון: ירושלים ואונסק"ו - דוח פרופסור מ. למייר מיום 19.3.85

1. קבלנו זה עתה את מסמך הועה"מ מסק 121/אכס/11 מיום 15.4.85 לגבי סעיף 5.4.1 בסדה"י של המושב ה-121 המתיחס לירושלים. אבחן את דוחו של פרופסור למייר מיום 19.3.85 המשולב בו ואכתוב לך לגביו בנפרד.

2. בינתיים אתיחס שוב לסעיף מס' 2 במברקנו מסק 624 מיום 26.4.85 לגבי תשובתנו על מכתב פרופסור למייר מיום 14.3.85. פרסום תשובתנו כאמור, אם יהיה צורך בכך, ניתן להעשות רק לאחר התיעצות עמו ולאור שקולים של כדאיות. במלים אחרות: יש לשקול אם פרסום כזה יסייע לנו.

3. כך ברצוני להעיר שהאיש הנזר בקטע עתון הארץ מיום 19.4.85 שצורף למכתבי מסק 274 מיום 22.4.85 אינו קשור לקבוצת האנשים אשר נאשמו בנסיון הפגיעה בהר הבית ב-27.1.84 ואשר התיחסת לגביהם במכתבך למנכ"ל מיום 22.2.85 (סעיף 3 במסמך הנ"ל מיום 15.4.85).

4. הנני מצ"ב את מכתבה של גב' יעל ורד אלי מיום 30.4.85 הבא לתקן ולהשלים את קטע המתיחס לדבריה בעת הדיון במקדים של בעית ירושלים שנערך באגף ארב"ל ב-19.4.85 (ראה סכום מיום 21.4.85 שצורף אל מכתבי מסק 273 מיום 21.4.85).
אני מקווה שהוא יהיה לעזר.

ב ב ר כ ה ,

דוד בן-דב

העתק: מר פ. אליאב, ראש אגף ארב"ל
גב' י. ורד, יועץ לשה"ח
מר א. בקר, מ"מ היועץ המשפטי

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1. [illegible]

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3. [illegible]

4. [illegible]

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[illegible]

[illegible]

י' באייר תשמ"ה
1/5/85

אל: מר דוד בן-דב, מנהל ארב"ל 3

מאת: יעל ורד, יועץ לשר

הנדון: <u>השלמות ותיקונים לדבריסם שנרשמו מפי בדיון מיום 19.3.85 על ירושלים</u>
מכתבך 273 מיום 21.4.85

1. ב-1963 וב-1970 קבלו הועה"פ והועידה הכללית של אונסק"ו החלטה הקוראת למנכ"ל אונסק"ו להבטיח "נוכחות קבועה" של אונסק"ו בירושלים. כן נדרש המנכ"ל לעשות לבצוע אמנת האג משנת 1954 בירושלים, לרבות הפסקת החפירות הבלתי חוקריות".
המנכ"ל דאג, מאהו, טען, בצדק, כי אמנת האג הנ"ל אינה אוסרת חפירות בעת ובעונה אחת, ידע שלא נסכים בשום פנים ואופן לנוכחות קבועה של אונסק"ו בירושלים. כדי למצוא מוצא, בקר בארץ ב-1969 וב-1970 והגיע עמנו להסכם על שליחות "נציג אישי של מנכ"ל אונסק"ו, שיבדק וידווח על החפירות. סוכם שבקוריו של נציג זה ייחשבו כ"נוכחות אונסק"ו".

2. בעקבות הסכם זה אמנם בקר ומבקר פרופ' למייר בירושלים. מאז 1980 (בעיקר מאז חוק ירושלים מיום 30.7.80) עשו הערבים ומנכ"ל אונסק"ו, מאמצים להרחבת נוכחות אונסק"ו בירושלים ע"י שגור משלחות בנות כמה וכמה חברים וביניהם גם פרופ' למייר עצמו כ. למשל, בקש המנכ"ל לשגר אלינו ב-1982 משלחת בת 5 איש לבדק את "המורשת התרבותית" בירושלים. (זו גם היתה דרך להפיס דעת הערבים לאחר שה"ועדה למורשת תרבות" רשמה את ירושלים כאתר בסכנה לפי בקשת ירדן). אנו דחינו תביעה זו גונינו על כך, במסגרת רשימת הגינויים המקובלת והענין נשכח. יצויין כי בבדיקה יסודית שערכתי לגבי הפרשה - מצאתי כי היתה זו יוזמתו האישית של המנכ"ל עצמו.

3. ההצעה לשגר מומחה בינ"ל לבדק את המנהרה, נובעת מהתנגדות אונסק"ו להכיר ברבונותנו על ירושלים ומן הצורך להרחיב את נוכחות אונסק"ו בירושלים, אשר ללמייר הוא בא בהצעה זו, למשל במכתבו מיום 14.3.85, מתוך רצון טובן לשמש מעין מתווך מקובל על שני הצדדים, כאשר לא פעם הוא אינו מודע להשלכות המדיניות של הצעותיו. אגב, בשיחות אישיות בעבר אמר לי לא פעם כי לדעתו הפתרון היחיד לירושלים הוא בנאום בצורה כלשהי. באחרונה הוא טוב אינו מדבר על כך, כיון שגם האפיפיור אינו מדבר על בינאום

בב ר כ ה (-)

יעל ורד

ירושלים, ט"ו אייר תש"מ
28/5/81

אל: מר דני בן-דב, מנהל אגד"ת ב

מאת: רמי דרי, רמי בר

נדון: מפגש המפקדים הבכירים שקיים מר בן-דב עם הנהגים ביום 28.5.81 על הרקע
מאורע בית שמש מיום 28.4.81

1. ב-1981 בן-ציון מנהל אגד"ת הפגיש מפקדים אלה עם אירגון הנהגים בבית אגד"ת
אירגון הנהגים "דגלים מגלגלים" של אירגון הרוחני. כל הדגלים מלבד הדגל
הכחול לבן אשר נאסר ב-1929 הרוחני, הדגלים הנפוצים מבטאים הבטחה".
מלבד דגל, מאיר, מגן, הרוח, כל אלה נאסר אל מ"ל אינו אירגון מרגיש, בגם
דגלים אחר . הרי מלא לבדם בדגל אינו דגלים מגלגלים עם אירגון
הרוחני. הרי בשרם בדגל, בגד בחרב ב-1981 בן-ציון מנהל הנהגים על
מלחמה "דגלים אחר" עם מלב"ל אירגון, מלחמת הרוחני. מדגל מלחמה
עם בדגל יש הרוגים ב"דגלים אירגון".

2. הנהגים נפגע יש אצל בגד נגדי מדגל' הנהגים הרוחני. מאז 1981 (הדגל מאז
מלא הרוחני מדגל 28.5.81) עבר מדגל נגד"ל אירגון, מאחרון הנהגים דגלים
אירגון הרוחני ב"ר מדגל מלחמה בדגל בגם דגל מדגל הדגלים בל מדגל
הנהגים מאחר ב. הנהג, בגם נגד"ל הנהגים ב-1981 מאחרון בן 2 אינו הדגל אם
"מאחרון מגלגלים" הרוחני. (יש לו מגן דגל הנהגים דגל מדגל הנהגים מאחר מ"דגלים
הנהגים מדגלים" דגלים אם הרוחני הנהגים בגד בגלגל דגל בגם. אבל דגלים אינם
יש הרוגים על בן, בגלגל דגלים מגלגלים מגלגלים דגלים בגם. דגלים בן
הדגלים בגדים מגלגלים הנהגים מדגל - מאחר בן מגן יש דגלים מאחרון מ"ל נגד"ל
מאחר.

3. מגלגל הנהגים מגלגל בן"ל הדגל אם מגלגלים, בדגל מאחרים אירגון"ל הנהגים הרוחני
על הרוחני בגד מגלגל הנהגים אם בדגל אירגון הרוחני , אבל הנהגים מגן בן
בגלגל יש הנהגים בגדים מדגל 28.5.81 מאחר דגל מגלגל הנהגים מאחרון מגלגל על
מאחר מגלגל, בגד בן מגן מגן אבל מדגל הנהגים מגלגלים מ"ל מגלגלים. אבל,
הנהגים אירגון הנהגים אבל אבל בן בן מגן בן בגלגל מגלגל מגלגל הרוחני מגן מגלגל
הדגל הנהגים. הנהגים מגן מגן אבל מדגל מ"ל בן, הדגל מגן מגלגלים אבל מדגל
על הנהגים

בן ר ב מ (-)

רמי דרי

משרד החוץ-מחלקת הקשר

ירושלים - אלנסקו

אל: אתונה , בון , בריסל , לונדון , פריס , רומא , מדריד ,
אוסלו , בנגקוק , טוקיו , מנילה , וו"ש , אוטאוה , מבבנה ,
בוגוטה , מכסיקו , קראקס , האיי' , קינגסטון ,
נר: חורם 1974, 0 : המשרד
דח: ד, סג: ש, תא: 270585, רח: 1530

שמור/דגיל

אונסקו הושר הפושר

1. הועדה הדנה בנושאינו קיבלה בקונסנסוס את נוסח ההחלטות
בענין
ירושלים והחינוך בשטחים.

2. בנושא ירושלים DEPLORES את העובדה שתוצאות שליחותו של
פרופ' למייר לא תואמות את צפיות הקהילה הבינ"ל המתנגדת לכל
הפרגת
של אמות האג 1954, מאשרת החלטות קודמות של אונסקו, קוראת
ליישום
ההמלצות בנושא החפירות לאורך הכותל והבנת מחקר בקשר ליציבות
אלמדרסה
אלמגרבאקיה

3. בנושא החינוך בשטחים, DEPLORES את דיבוי מוסדות החינוך

והתרבות בשטחים 'בטריטוריות הפרשתיאריות ושאר שטחים ערבים בבושים',
מרמינה את המנכ"ל למנות משלחת של אקדמאים שתכין מחקר של התנאים בהם
מתממשים 'יחדויות אקדמאיות' בשטחים כולל שמירת עדויות נבמרכז האירגון
בפריס) והבנת דו"ח לושהפ'.

4. פנו נא למשהח והביעו נא אכובתנו, תמיהתנו כבהתאם לתנאי המקום):

א. שוב עוסק האירגון בנושאים שאינם בתחום סמכותו, ולמרות הבקורת נגד
הפוליטיזציה נראה ששום דבר לא השתנה. אין אנו מתפלאים במובן על המהלך
הערבי, אך לא היה מקום לקבלת החלטות בניל בקונסנסוס נלמרות ההסתיגויות
שהושמעו) ואם אי אפשר היה לדחותן, לפחות היה של המדינות הערות לנגע
הפוליטיזציה להתנגד להן.

ב. ההחלטה על ירושלים מתערמת ממצאי דוח פרופ' למייר ומהמצב העובדתי בשטח

ג. ההחלטה של התינוך בשטחים הרסנית. ישראל תיתה מכל וכל שפ' עם המנכ"ל
בנושא משלחת האקדמאים המוצעת. הדגישו נא שאם שפ' עם המנכ"ל ושליח:
פרופ' למייר בנושא ירושלים אינו ווכה לכל תגובה והועהפ' מקבל את
נוסח ההחלטות בענין ירושלים ללא בל התחשבות ותוך התעלמות מדוחות

למייר. ברור שאין עם לשפ' מצד ישראל בנושא משלחת לחינוך בשטחים.

שרותיה יוכל ליתם דומה

בנוסף לכך הקמת מוסד חדש, עריכת מחקרים וניסיונות עומדים בסתירה
גמורה למגמות מדינותיכם להבראת אונסק"ו וחיסכום בהוצאותיו

5. מאוכזבים ביותר מהצטרפות המערביים לקונסנסוס, השינוי מהנוסח
המקורי של גינוי (CONDEMN) ל- DEPLORE היה מכסים
ערבי שקוף להשיג תמיכה מירבית בהצעותיהם.

6. נוסח ההחלטות יובא לאישור מליאת הועד הפועל ואנו מבקשים שתובע
שם הסתייגות כולית מהפוליטיזציה ומהעימות הייחודי עם ישראל המעוגנים
בהחלטות

אדבל ב

תפ: שחה,מנכל,ממונכל,אליאב,ארבכ,ורד,שחים,מתאמשחים,
ענוג,אירא,אירב,פרימור,מאסוק,מצפא,גוראדיה,אמלט,
שגב/מחינוך

3692 נבנס

משרד החוץ-מחלקת הקשר

אל: המשרד, נר: 441, מ : פריס
דח: ד, מג: ב, תא: 240585, חח: 1800
נד: אונסקו

יום אופיר

6 .11 אוגוסט

בלמס/רגיל

אל : בן דב ארבל 3

מאת : אונסקו פריס

ירושלים והחנוך בשטחים בפני הועדה לתכנית ויחסי חוץ
א . ביום 23.5 לא ישבו הועדה לפני הצהרים , וזאת כדי לאפשר לקבוצות האו האוריות לנהל מו"ם בלתי רשמי ולהגיע לקונסנסוס . הנייר המוסכם הופיע בהצעת החלטה ערביות במקום הצעות הקודמות . הנוסח בנפרד .
ב . אחרי הצהרים לאחר קבלת שתי ההצעות הנ"ל ההחלטה נפלה בקונסנסוס בלי הצבעה אבל חברי הועה"פ השמיעו הסתייגות מאותם הסעיפים בהם מאשרים מחדש החלטות על ירושלים ובנוגע למוסדות חיוך בהחלטה על השטחים .
ג . בדיון , הארסי ביותר היה נציג אוקראינה , בעוד שלדברי רוקים כל האחרים השתדלו לשמור על נימה מאופקת נובח המשבר בארגון .

שמיר

תפ: שהח,מנכל,מנכל,אליאב,ארבל3,ורד,שטחים,מתאם שטחים.
ר/מרכז,ממד

משרד החוץ-מחלקת הקשר

3747

נבון בלס'ס

אל: המשרד, נד: 431, מ: פריס
דח: ר, 20: ב, תא: 240585, דח: 1200
נד: אונסקו

בלסס/רגיל

אל: בן-דב, ארבל 3

מאת: אונסקו פאריס

נוסח ההחלטה של ירושלים שנתקבלה בקונסנסוס נשאר זהה עם הצעת ההחלטה הערבית הראשונה מ'ום 5.20, אותה הבדקת' בשל' 396 עד סע'ף 6 כולל להלן הנוסח הסופ' החל מסע'ף 7 :

7. HAVING EXAMINED THE DIRECTOR-GENERAL'S REPORT CONTAINED IN DOCUMENTS 120 EX/14 AND 121 EX/11 AND NOTED THE RESULTS ACHIEVED BY THE MISSION OF PROFESSOR LEMAIRE PERSONAL REPRESENTATIVE OF THE DIRECTOR-GENERAL.

8. NEVERTHELESS DEPLORES THE FACT THAT THOSE RESULTS DO NOT ENTIRELY MEASURE UP TO THE EXPECTATIONS OF THE INTERNATIONAL COMMUNITY, WHICH HAS CONSTANTLY OPPOSED ALL VIOLATIONS OF THE HAGUE CONVERHTION OF 1954.

9. REAFFIRMS THE PREVIOUS RESOLUTIONS OF THE GENERAL CONFERENCE AND DECISIONS OF THE EXECUTIVE BOARD PERTAINING TO THE PROTECTION OF THE CULTURAL PROPERTIES OF JERUSALEM.

10. URGES MEMBER STATES OF UNESCO TO CONTINUE TO SEEK BY SUCH MEANS AS THEY MAY DEEM APPROPRIATE.TO SAFEGUARD THE CULTURAL AND NATURAL HERITAGE OF JERUSALEM AND TO PRESERVE ITS HOMOGENEITY, ITS UNIQUE NATURE AND ITS AUTHENTICITY.

11. REQUESTS THE WORLD HERITAGE COMMITTEE TO CONTINUE ITS ACTIVITIES IN CONNECTION WITH THE INCLUSION OF THE HOLY CITY ON THE LIST OF WORLD HERITAGE IN DANGER,WITH A VIEW

TO TAKING APPROPRIATE FOLLOW-UP ACTION.

12. APPEALS TO THE INTERNATIONAL COMMUNITY TO HELP BY MEANS OF VOLUNTARY CONTRIBUTIONS TO SAFEGUARD THE CULTURAL HERITAGE OF JERUSALEM.

13. REQUESTS, INTER ALIA, THAT IMMEDIATE ACTION BE TAKEN BY THE ISRAELI OCCUPYING AUTHORITIES TO GIVE EFFECT TO THE RECOMMENDATION OF THE EXECUTIVE BOARD AT ITS 120TH SESSION CALLI G FOR DETAILED INFORMATION, PREPARED BY AN EXPERT AND APPROVED BY BOTH PARTIES, REGARDING.

THE EFFECTS OF THE DIGGING OF A TUNNEL ALONG THE WESTERN WALL OF HARAM-AL-SHARIF,

THE STUDY CONCERNING THE STABILITY OF AL-MADRASA AL-MANJAKIYYA,
AND REGRETS THAT THIS HAS NOT SO FAR BEEN DONE.
14. WARMLY THANKS THE DIRECTOR-GENERAL FOR HIS CONTINUING EFFORTS TO MAINTAIN A UNESCO PRESENCE IN THE OCCUPIED HOLY CITY AND TO ENSURE THE MONITORING OF THE CONDITION OF ENDANGERED CULTURAL PROPERTIES.

15. INVITES THE DIRECTOR-GENENRAL TO KEEP THE EXECUTIVE BOARD INFORMED OF THE EVOLVING SITUATION IN THE OCCUPIED HOLY CITY AND TO PUBLICIZE ALL INFORMATION ABOUT SPECIFIC THREATS.
16. DECIDES TO INCLUDE THIS QUESTION ON THE AGENDA OF THE 125TH SESSION OF THE EXECUTIVE BOARD WITH A VIEW TO TAKING SUCH DECISIONS AS THE NEW SITUATION MAY REQUIRE.

3679

נכנס

משרד החוץ-מחלקת הקשר

אל: המשרד, נר: 399, מ : פריס
דח: ר, סג: ב, תא: 240585, חז: 1800

בלמס/רגיל

אל : ארבל 3

מאת : אונסקו

פריס

בעתון בשפה הערבית המופיע בפריס "אל מוסתקבאל" מובא ראיון ב-11.5 עם המנכ"ל מבו. לדבריו המשבר עם ארה"ב נובע מעמדתו האוהדת לערבים בענין ירושלים.

אונסקו הארגון הבינ"ל היחידי המתאמץ למנוע יודיוציה של העיר ולשמור על מורשת כל הדתות.

לפי דוח סודי שמסר לו פרופ' לסייר ורושים 20 מליון דולר לשיפוצים.
אונסקו כבר תרם 100 אלף ואם הערבים לא יגייסו את הסכום ירושלים תאבד אופיה הערבי מוסלמי ותהיה בסוף המאה לעיר יהודית.
המאמר בריב.
שמיר

תפ: שהח,מנכל,ממנכל,אליאב,ארנכל3,ורד,ר/מרכז,ממר

משרד החוץ-מחלקת הקשר

3071
** נבנס שמור
**
**
**

אל: המשרד, נד: 402, מ : פרים
דמ: מ, סג: ש, תא: 230585, מח: 1200

שמור/סידי

אל ארבל 3

דע אונסקו באן

מאת הציר פאריס

אונסקו -חינוך בשמחים וירושלים

בשיחת אקראי (22/5) ביקר לי ראש אגף ארבל ברציף PIERRET
בי לאור השיפורים המסתמנים בניסוח קרוב לודאי ששתי הצעות
ההחלטה בנדון תתקבלנה בקונסנסוס,תוך הסתייגות שהבעתה תומל על
איטליה בשם

הי"עשרי" מאותם מדיבים שאינם קבילים עליהם.אם בכל זאת
ציפיותיהם
לשיפורים תתאכזבנה ותתקיים ההצעה,העשר תמנענה.פירה הערך
כטבירה את
האלטרנטיבה הראשונה.

נסיבות השיחה נבקבלת פנים אצל המערב גרמנים(לא היו נוחות
לפירום
השיפורים בהם מדובר.פירה התקדים ביקורתי הצפוייה ואמר בי
הוא יודע בי
עמדתם כנר מאכובת מבחינתנו,אך ביקש לציין החיוב במגמת
הקונסנסוס,בי
בלולה בה הסכמת יוון אשר,בדבריו יינוהגת להצביע בעד כל טקסט
ערבי.

11.6 אונסקו

משרד החוץ-מחלקת הקשר

פרטוד

תפ: שהח,מנכל,ממנכל,אליאב,ארבלג,ורד,עמחים,מחאמשמחים,
ר/מרכז,ממד,שגב/ממחינוך,ענוג,אירא,אירב

משרד החוץ-מחלקת הקשר

3051
** נכון 1109
**
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אל: המשרד, דת: 198. מ : רומא
הת: 1. מס: 8, תא: 230585 תת: 1340.

מסור/בהול

אל: אדבר 3, פדיו/אריאב,שמיר בוד 99 כפים בנפרד)
מאת: שגרירות, רומא

הנ-129

אונסקו: להתכרכות בנדון

1. עפ"י הוראתכם נפגשתם הבוקר בדחיפות במשתתפ' עם מנהל המחלקה האומ' ובמקומו"ן הפיתוח. הציג ואיגאם מזכיר האו"ר מיקיצ' PICHECA

2. נתחיל הצגת נציג PICHECA עמדתנו ביחס להצבעה ובנוסחים המוצעים שהגישו בריוק כפי הפנ"ש. נוסח המחלטות מה. ביקש זכן דיווח מוצגים נכון כאתמול הפ' החל הדיון ורא נדרה מתי ההצבעה.

3. בלמ' מיעוץ מסביר עמדו ביחס להתנגדותנו לפוליטיזציה באונסקו. מסביר עם עמדתנו ביחס להרבה נקודות בשו' נוסח הטעות. ביחוד בו ביחס ליהודים. עמדתנו. אומה הצגת. כי אין דיוקה בחציאות מקובלת עליהם.

4. ביין כי רשמו לפניהם בקשתנו הן זו של הציר (17/53) והן הנוכחית וכי נתנו הוראות להתנגד לנוסחים הקיצוניים וביחס לסעיפים אחרים כמצוא נוסח מתאים. לדבריו ינסו כסלק כך דבר מזיק. לא שכנו, נהמלכות PICHECA מקוה שהדבר יבוא מידי ביטול בעמדה נציגם

5. המליחם אף לעמדת מדינות אחרות- חברות השוק. ובייחוד ב נמוכה- מה בעמדתן נציגם בפריז הבין שיבוטים אחרות בעמדה דומה כזעה האיטלקית וסרבית שוקפיהם לעמדה זו-נגד מוליטיזציה של הארגון שאר ביחס לעמדת מדינות עולם שלישי מתונות

14764 בקשה רא טל 33043

משרד החוץ-מחלקת הקשר

6. ניקח לעדכון מחר בבוקר ביחס להתפתחויות. זה הבריקו בהול לבוקר בסידה ויש בידיכם מידע רלבנטי.

7. לאחר השיחה עם PICHECA שוחחנו יחד קצרות עם הציר MAIOLINI הנל' חור בקצרה על דברי שגנו. ציין כי עוד בזמנו רשמו לפניהם בקשת הציר ושאלו ברוח זו ולפיכך לא דאז וחיפות נפגישה עוד אמש. ציין שוציני שגרירות ארהב' היו אף הם אצלו ביחס לענין זה
כו'

עדי שהת.מנכל.סמנכ.אריאב.ארבלב.ורד.ר/מדבו.בסד.
שבב/סמחיון.עוזב.אירא.אירב

2790 נבנס

משרד החוץ-מחלקת הקשר

אל: המשרד, נר: 297, מ : לונדון
דח: מ, סג: ש, תא: 220585, חז: 1700
נד: אונסקו

שמור/מידי

אל: ארבל' 3
דע: אירופה 2
מאת: השגריר לונדון

אונסקו' - הועד הפועל ה-121

נשיאת' היום עם פרגוסון - ראש אגף מזמ' אפריקה בפורהוס', אמר כי נדק את הנושא ובהעדר כל אפשרות להודיע את שו' הסעיפים מסדר היום, קיבלה המשלחת הבריטית הוראות לנסות ולפעול כדי להיות גורם ממתן.

שא

תפ: שהח,מנכל,ממנכל,אליאב,ארנלד,שנוג,אירא,אירב,ר/מדבר,
מסר,ורד,שפחים,מתאמשפחים

1-מס אונסקו

6.111 אנסו

משרד החוץ-מחלקת הקשר

2750
** נבנס עמוד
**
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1-מ אוסיף

אל: המשרד, נד: 165, מ : מכסיקו
דח: מ, סג: ש, תא: 220585, רח: 1500
נד: אונסקו

6.11.1 אלסקי

שמור/מיידי

אל:ארבל 3

רש:שג פארים נים העבירו(א)

וועד הפועל של אונסקו.

שלבם חורם 986.

1.נפגשתי עם גב BARCENA הממונה על UNESCO באגף ארבל של משהיח המכסיקני.

2.לאחר שיחה כללית הצבעתי על הסכנות הכרוכות בפוליטיזציה של אונסקו ועל החשש שמדינות אחרות ילכו בעקבות ארה"ב ויעזבו הארגון, ובן בקשתי למנוע דיונים בנושא ירושלים ובנושא החינוך בשטחים שחבלית העלתם פוליטית בלבד.

3.להלן עיקרי תשובותיה של גב BARCENA.
א.מכסיקו מודעת לסכנת הפוליטיזציה של אונסקו ונושה מאמצים למתן הקיצוניים ולגרום לדיונים ענייניים..
ב.מכסיקו בדעה שדיון על מצב החינוך בשטחים מקומו באונסקו יחד עם דיון על מצב החינוך באיזורים בעיתיים אחרים בעולם.
ג.הדוח על ירושלים של פרופ' למייר נציג המנכל עניני בהחלט ומכסיקו מקווה שהחלטה בנידון תתבסס על דוח למייר.
ד.מכסיקו פועלת למיתון הנוסחים באונסקו בכלל בנושאים שלנו.
4.הבטיחה להעביר בקשותינו לדרגים המתאימים במשהיח לעיון והחלטה.
אליגל

משרד החוץ-מחלקת הקשר

תפ: שהח,סנכר,סמנכל,אליאב,ארבלצ,גודאריה,אטלס,ורד,
שחים,מתאמשחים,שגב/סמחינוך,ר/סרבו,סמד

2746

נבנו

משרד החוץ-מחלקת הקשר

אל: המשרד, נד: 396, מ: פרים
דח: ב, סג: ג, תא: 220585, נח: 2200
נד: אוונסקו

נכתב/נהוג-לבוקר

אל: רומא

דש: ארבל 3

כרומאנון-230-הועבר)

מאת: שמיר, פאריס

להלן נוסח הצעות ההחלטה הערביות

א. ירושלים

1. חינוך בשטחים

להלן שני הקטעים בלועזית

A

1. RECALLING THE PROVISIONS OF THE CONSTITUTION OF UNESCO RELATING TO THE CONSERVATION AND PROTECTION OF AND RESPECT FOR THE NATURAL HERITAGE AND CULTURAL PROPERTY, ESPECIALLY PROPERTY OF OUTSTANDING UNIVERSAL VALUE,

2. RECALLING THE HAGUE CONVENTION OF 1954 AND THE RECOMMENDATION

ON INTERNATIONAL PRINCIPLES APPLICABLE TO ARCHAEOLOGICAL EXCAVATIONS ADOPTED ON 5 DECEMBER 1956 BY THE GENERAL CONFERENCE AT ITS NINTH SESSION,IN PARTICULAR PARAGRAPH 32.WHICH STATES: 'IN THE EVENT OF ARMED CONFLICT.ANY MEMBER STATE OCCUPYING THE TERRITORY OF ANOTHER STATE SHOULD REFRAIN FROM CARRYING OUT ARCHAEOLOGICAL EXCAVATIONS IN THE OCCUPIED TERRITORY

3. RECALLING THAT EXISTING INTERNATIONAL CONVENTIONS.RECOMMENDATIONS AND RESOLUTIONS ON BEHALF OF THE NATURAL HERITAGE AND CULTURAL PROPERTY DEMONSTRATE THE IMPORTANCE FOR HUMANITY OF SAFEGUARDING SUCH PROPERTY.TO WHATEVER PEOPLE IT MAY BELONG.

4. CONSIDERING THAT IT IS OF IMPORTANCE TO THE ENTIRE INTERNATIONAL COMMUNITY THAT THE NATURAL AND CULTURAL HERITAGE SHOULD BE PROTEC- DED.

5. CONSIDERING THAT THE HISTORIC SITE OF JERUSALEM CONSTITUTES A HOMOGENEOUS.BALANCED AND UNIQUE CULTURAL PROPERTY OF COUTSTANDING UNIVERSAL VALUE,AND THAT ACCORDINGLY THE INTERNATIONAL COMMUNITY HAS DEEMED IT TO BE ONE OF THE INVALUABLE AND IRREPLACEABLE PROPER- TIES OF HUMANITY AS A WHOLE,WORTHY OF BEING INCLUDED ON THE WORLD HERITAGE LIST.

121 EX/PX/DR.1 - PAGE 2

6. RECALLING THE DECISION OF THE WORLD HERITAGE COMMITTEE TO INCLUDE THE 'OLD CITY OF JERUALEM AND ITS WALLS' ON THOM LIST FO WORLD HER- TAGE IN DANGER.WITH A WIEW TO PRESERVING IT FROM THE SERIOUS AND SPECIFIC DANGERS THREATENNING IT,IN PARTICULAR THE INCREASINGLY RAF- ID DETERIORATION OF MONUMENTS.THE APPALLING DISFIGUREMENT OF THE ENVIRONMENT.THE DESTRUCTION RESULTING FROM CHANGES IN THE USE OF MONUMENTS OR THE OWNERSHIP OF LAND AND THE DISTORTION OF THE CULTURAL AUTHENTICITY OF PROPERTIES.

7. HAVING EXAMINED THE REPORT OF THE DERECTOR-GENERAL CONTAINED IN ----------
DOCUMENT 121 EX/11,

8. NOTING WITH DISMAY THAT ISRAEL PERSISTS IN ITS REFUSAL TO COMPLY WITH THE RESOLUTIONS AND DECISIONS OF UNESCO,

9. REAFFIRMS THE PREVIOUS RESOLUTIONS OF THE GENERAL CONFERENCE AND ----------
DECISIONS OF THE EXECUTIVE BOARD PERTAINING TO THE PROTECTION OF THE CULTURAL PROPERTIES OF JERUSALEM,
10. STRONGLY CONDEMNS THE PERSISTENT VIOLATION BY THE OCCUPYING ----------
AUTHORITY OF THE HAGUE CONVENTION OF 1954, THE RECOMMENDATION OF INTERNATIONAL PRINCIPLES APPLICABLE TO ARCHAEOLOGICAL EXCAVATIONS AND OTHER INTERNATIONAL CONVENTIONS AND RECOMMENDATIONS RELATING TO THE PROTECTION OF THE CULTURAL AND NATURAL HERITAGE IN OCCUPIED TERRITORY,

11. URGENTLY REQUESTS THE MEMBER STATES OF UNESCO TO PROCEED BY ----------
SUCH MEANS AS THEY MAY DEEM APPROPRIATE TO SAFEGUARD THE CULTURAL AND NATURAL HERITAGE OF JERUSALEM AND TO PRESERVE ITS HOMOGENEITY, ITS UNIQUE NATURE AND ITS AUTHENTICITY,
12. RECOMMENDS TO THE GENERAL CONFERENCE THAT IT ESTABLISH A SPECIAL ----------

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TIES IN CONNECTION WITH THE INCLUSION OF THE HOLY CITY ON THE LIST OF WORLD HERITAGE IN DANGER WITH A VIEW TO TAKING APPROPRIATE FOLLOW-UP ACTION,

13. RECOMMENDS TO THE GENERAL CONFERENCE THAT IT ESTABLISH A SPECIAL FUND FOR THE SAFEGUARDING OF THE HERITAGE OF JERUSALEM,
14. WARMLY THANKS THE DIRECTOR-GENERAL FOR HIS CONTINUING EFFORTS TO MAINTAIN A UNESCO PRESENCE IN THE OCCUPIED HOLY CITY AND TO ENSURE THE MONITORING OF THE CONDITION OF ENDANGERED CULTURAL PROPERTIES,
15. INVITES THE DIRECTOR-GENERAL TO KEEP THE EXECUTIVE BOARD INFOR- MED OF THE EVOLVING SITUATION IN THE OCCUPIED HOLY CITY AND TO PUBLL- ICIZE ALL INFORMATION ABOUT SPECIFIC THREATS,
16. DECIDES TO INCLUDE THIS QUESTION OT THE AGENDA OF THE

125TH SE- SSION OF THE EXECUTIVE BOARD WITH A VIEW TO TAKING SUCH DECISIONS AS THE NEW SITUATION MAY REQUIRE

חוזר דיפלומטי

1. RECALLING THE CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN ----------
PERSONS IN TIME OF WAR (GENEVA,1949)AND THE CTNVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT (THE HAGUE, 1954).

2. AFFIRMENG THAT EVERYONE HAS THE RIGHT TO EDUCATION (UNIVERSAL DECLARATION OF HUMAN RIGHTS, ARTICLE 26, PARAGRAPH 1)AND THAT THAT RIGHT IS NOT RESTICTED TO PRIMARY AND SECONDARY EDUCATION BUT ALSO EXTENDS TO HIGHER EDUCATION (INTERNATIONAL COVENANT ON ECONOMICAL, SOCIAL AND CULTURAL RIGHTS,ARTICLE 13, PARAGRAPH 2).
3. CONSIDERING THAT INSTITUTIONS OF HIGHER EDUCATION SHOULD CONSTI- TUTE FREE COMMUNITIES OF SCHOARS AND STUDENTS THAT SHOULD ENJOY THE UNIVERSALLY RECOGNIZED ACADEMIC FREEDOMS,
4. DEEMING THE EXISTENCE AND FREE FUNCTIONING OF THOSE INSTITUTIONS AS NECESSARY TO CONSTITUTE FUNDAMENTAL AND ESSENTIAL ELEMENTS IN THE AFFIRMATION AND STRENGTENING OF THE CULTURAL IDENTITY OF THE PALES- TINIAN PEOPLE,

5. EXPRESSING ITS STRONG DESIRE TO SEE THE INHABITANTS OF THE OCCU- PIED ARA TERRITORIES ENJOY THE SAME ESSENTIAL RIGHTS AS ARE ENJO- YED BY ALL PEOPLE TERRITORIES ENJOY THE SAME ESSENTIAL RIGHTS AS ARE ENJOYED BY ALL PEOPLE WITH RESPECI TO AN EDUCATION SUITED TO THEIR NEEDS AND CULTURAL IDENTITY,

6. RECALLING ALL PREVIOUS GENERAL CONFERENCE RESOLUTIONS AND EXECU- TIVE BOARD DECISTIONS CONCERNING EDUCATIONAL AND CULTURAL INSTITUIONS IN THE OCCUPIED ARAB TERRITORIES.

7. NOTING WITH GRAVE APPREHENSION,AFTER EXAMINING THE REPORT OF THE DIRECTOR-GENERAL CONTAINED IN DECUMENTS 120 EX/10 AND ADD.1 AND 121 EX/40, THAT THE ISRAELI OCCUPYING AUTHORITY PERSISTS IN ITS REFUSAL TO GIVE EFFECT TO THOSE GENERAL CONFERENCE RESOLUTIONS AND EXECU- TIVE BOARD DECISIONS AND CONTINUES TO BESET WITH OBSTACLES AND A POLICY OF OBSTRUCTION THE NATURAL FUNCTIONING OF EDUCATIONAL INSTI- TUTIONS,UNRWA/UNESCO TRAINING CENTRES, UNIVERSITIES, INSTITUTES OF ADVANCED STUDIES AND CULTURAL INSTITUTIONS,BY TAKING MEASURES THAT IMPERIL THE VERY EXISTENCE OF THOSE INSTITUIONS.

8. REAFFIMRS ALL PREVIOUS RESOLUTIONS AND DECISIONS ADOPTED BY THE GENERAL CONFERENCE AND THE EXECUTIVE BOARD RESPECTIVELY IN THIS MATTER.

9. STRONGLY CONDEMNS THE POLICY OF OBSTRUCTION AND COLLECTIVE ----------
PUNISHMENTS BEING INFLICTED BY THE OCCUPYING AUTHORITY,AGAINST EDUC- AATIONAL AND CULTURAL INSTITUTIONS IN THE OCCUPIED PALESTINIAN AND OTHER ARAB TERITORIES, THEREBY IMPEDING THE NATURAL FUNCTIONING OF THOSE INSTITUTIONS,

10. CALL UPON THE OCCUPYING OUTHORITY TO COMPLY WITH THE GENEVA AND ----------
AND THE HAGUE CONVENTIONS AND TO GIVE EFFECT TO THE RESOLUTIONS OF THE GENERAL CONFERENCE AND DECISIONS OF THE EXECUTIVE BOARD BY RE BY RESCINDING ALL MEASURES TAKEN,ACTS COMMITTED AND MILITARY ORDERS ISSUED AGAINST EDUCATIONAL AND CULTURAL INSTITUTIONS,AND TO SAGECUARD THE ACADEMIC FREEDOMS OF UNIVERSITIES AND OTHER EDUCATIONAL AND CULTURAL INSTITUTIONS IN ORDER THAT THEY MAY BE ENABLED TO ENGAGE IN THEIR ACTIVITIES WITHOUT LET OR HINDRANCE.

11. WARMLY THANKS THE DIRECTOR-GENERAL FOR HIS ASSIDUOUS EFFORTS TO HAVE UNIESCO MONITOR THE FUNCTIONING OF EDUCTIONAL AND CULTURAL INSTITUTIONS IN THE OCCUPIED ARAB TERRITORIES AND THE IMPEMENTATION OF THE RESOLUTIONS AND DECISIONS OF UNESCO CONCERNING THOS INSTITU- TIONS.

12. INVITES THE DIRECTOR-GENERAL TO ENTRUST A GROUP OF EXPERTS INCLU- DING UNIVERSITY PROFESSORS AND REPRESENTATIVES OF INTERNATIONAL AND REGIONAL ORGANIZATIONS OF UNIVERSITIES WITH THE TASK OF CONDU- CTING A COMPREHENSIVE STUDY OF THE CONDITIONS IN WHICH ACADEMIC FREEDOMS ARE ENJOYED AND EXERCISED IN THE OCCUPIED ARAB TERRITORIES. THE SAID GROUP TO GATHER THE NECESSARY INFORMATION BY SENDING A MISSION TO THE OCCUPIED TERRITORIES AND HEARING TESTIMNY AT THE HEADQUARTES OF THE ORGANIZTION AND TO PREPARE A REPORT TO BE SUBMI- TTED, WHEN COMPLCTED, TO THE EXECUTIVE BOARD FOR CONSIDERATION AT A FUTURE SESSION OF THE BOARD.

13. DECIDES TO INCLUDE THIS QUESTION ON THE AGENDA OF THE 125TH SESSION OF THE EXECUTIVE BOARD WITH A VIEW TO THE TAKING OF SUCH DECISIONS AS MAY BE APPROPRIATE

1-מ אינסקן

מ ז כ ר

(להתכתבות פנימית במשרדי הממשלה)

אל: גב' חנה ורבי ועדת רשות	התאריך: 20.5.85
מאת: אבי שרבי	חתיק מס':

הנדון:

Zemach

6.111 אינסקן

(1) מ"מ אבי מ"מ 8.5.85

בהשלכה לאבי שמר מיום 29.4.85

לחיסון של הבית שקל מול

(2) כבי שרבי אין רבות רמי

אבשלום יש לי המרבי מהמלצות

לחיסון של אמתה מהטרוגן ובדבר

הלאומית המקלות

בברכה

רמי יקר-דב

מדף 1010

מ ז כ ר

(להתכתבות פנימית במשרדי הממשלה)

אל:

התאריך

מאת:

חיק ממי

הנדון:

מדף 1010

RAYMOND M. LEMAIRE
PROFESSEUR À L'UNIVERSITÉ
DE LOUVAIN

Le 8 mai 1985

RL/MG/83

A S.E. Monsieur Meir SHAMIR
Ministre Plénipontentiaire
Délégué Permanent d'Israël auprès
de l'UNESCO
Place de Fontenoy
F 75700 PARIS

Cher Monsieur le Délégué Permanent,

J'ai bien reçu votre lettre du 29 avril 1985 m'annonçant que le Professeur Jacob Gluck, de l'Institut de Technologie de Haïfa, a été désigné comme expert pour établir les causes de la déstabilisation de la Madrassa Mandjakyia.

Je ne voudrais certainement pas mettre en doute ni la compétence ni la rigueur scientifique avec lesquelles le Professeur Gluck examinera cette question. Toutefois, je crains que la désignation d'un expert israélien, aussi compétent soit-il, puisse apparaître aux autorités du Waqf, propriétaire du bâtiment, comme susceptible de ne pas avoir,dans leur vision du problèmes, l'ouverture nécessaire pour assurer la crédibilité totale dans les conclusions de l'expertise.

Il est de tradition, lorsque deux parties sont en conflit sur un problème qui leur est commun, que l'on désigne pour examiner celui-ci une personne de haute compétence n'ayant d'attaches avec aucune des parties et dont par le fait même l'indépendance d'appréciation et de jugement ne puissent être mis en cause. C'est la raison pour laquelle j'avais vivement conseillé que l'on désigne pour l'expertise en cause un expert étranger à la région et dont la réputation tant scientifique que morale est inattaquable. J'avais fait valoir cet argument tant auprès de M. Den-Dov que M. T. Kollek.

Je ne vous cache pas que je reste convaincu de sa pertinence. Je ne suis pas sûr, en effet, que la désignation du Professeur Gluck dont, je le repète, je ne mets pas la personnalité en cause, ne contribuera pas à diminuer la tention regrettable qui règne aujourd'hui autour des problèmes créés par "le tunnel".

Je vous prie de croire, Cher Monsieur le Délégue Permanent, à l'expression de ma très haute considération.

BERTELSHEIDE 3054 LOONBEEK - HULDENBERG

משרד החוץ-מחלקת הקשר

1971
** יוצא שמור
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אל: פרים, נר: 490, מ: המשרד
דח: ד, סג: ש, תא: 180565, לח: 0900

שמור/דגיל

שמיר - אונסקו

הצעות החלטה בענין ירושלים והחינוך בשטחים. שלך 256
1. אנו רואים כמובן בחומרה כ אם בי איננו מופתעים) את המהלך הערבי נגדנו בועד הפועל, המתבטא בהגשת הצעות החלטה, הכוללות גינויים חריפים.

2. יש כאן התעלמות צינית לא רק מהמצב בשטח אצלנו, אלא מכל הנעשה באונסקו, הועד הפועל אסור לדון במסגרת מושבו הנוכחי בנושאים מהותיים החיוניים להמשך תפקוד הארגון, על רקע המשבר העמוק בו הוא נתון, ואילו הערבים מתנהגים כאילו שום דבר איננו נוגע להם. וממשיכים בפוליטיציה בוטה שהיא אחד מהגורמים שהביאו הארגון אל סף פשיטת רגל.
3. הצעת -ההחלטה המגנה אותנו בנושא ירושלים מביאה את הדברים עד אבסורד. יש כאן לא רק התעלמות צינית מדוחותיו של פרופ' למייר אלא גם ולרוץ בו. הרי אין במצב בשטח, כפי שגם בא לידי ביטוי בדוחו האחרון של למייר כל סיבה לבקודת בצורת הצעת החלטה נגדנו, ליית מאן דפליג לגינוי. ההתעלמות משתוף הפעולה שלנו עם המנכל הנמשך זה שנים מביאה להדהוד נוקב, שמא שפ' בזה לא נחוץ בכלל.

4. דעיון ''משלחת המומחים '' לבדיקת מצב החינוך בשטחים אינו חדש והערבים ממשיכים לגלגלו מדי פעם בצורות שונות. חשוב להדגיש מבחינתנו מי היו אלה שאפשרו לראשונה פתיחת אוניברסיטאות ביהו'ש.

5. מבקשים שבהתיחסוך הן לנושאים בכל, והן להצעות ההחלטה בפרס תערוך חשבון נוקב עם הפוליטיציה בארגון, ברוח הדברים לעיל. שאותה מחמירים הערבים בהתנהגות שלוחת רסן.

6. ציין נא שהגורמים הנוגעים בדבר בישראל ישקלו בכובד ראש את המשך שתוף הפעולה עם נציגו של המנכ"ל לנושא ירושלים, קדי נכונות לביקוריו של פרוף למייר, נוכח התעלמותם המבוה של הערבים מדוחותיו.

ארבל 3

תפ: שהח,מנכל,ממנכל,אליאב,ארבל3,ורד,שחים,מתאמשחים,
משפט,ר/מרכז,ממד,שגב/ממחינוך

משרד החוץ-מחלקת הקשר

1387

** נבון עמוד

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אל: המשרד, נד: 306, מ: פריס
דח: ד, סג: ש, מא: 170585, מח: 1800

שמור/דגיל

אל אדבל 3

דע אירופה 1

מאת פאריס

ספרד.

בתום ישיבת הקבוצה האיקמודלית ביום , פנה אלי PATRICIO AGUIRRE DE CARCER סגן הנציג הקבוע שייצג את ארצו בישיבה זו. 1. שהיה ספרד שביקר בימים אלה בקהיר שאל את מובראק מה עמדת מצרים לשאלת קשירת יחסים דיפלומטיים עם ישראל , ואת נוכח ההתנגדות הערבית לחידוש היחסים עם ישראל.
תשובת נשיא מצרים היתה שארצו ושוד מספר מדינות ערביות מחונות אינן חורר אינן מתנגדות לקשרים דיפלומטיים בין ישראל לספרד.
2. נציג סוריה בועד הפועל הגיש לו נוסח הצעת ההחלטה בנושא ירושלים והשטחים בספרית וביקש תמיכתו. הספרים באן הבריקו למדריד וביקשו הנחיות. איש שיחי מקווה שלפי הנחיות אלה יוכל להצטרף לעמדת מדינות הקהילה האירופית ולהתנגד להצעות ההחלטה הערביות.
שמיר

מפ: שהח,מנכל,ממנכל,אריאב,אדבלב,ורד,מפאמשטח,קידר,
מצרים,שנוג,אירא,אירב,ר/מדבו,שטחים,ממר,שגב/ממחינוך

629
** נבוט מוס
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ירושלים אנסקן

אל: המשרד, נר: 256, מ: פרים
דח: ר, סג: ס, מא: 150585, מז: 1600
נד: הצעות החלטה- י-ס

מסר/רגיל

אל:ארבל 3

דע:מיכאל גינה -(המשרד)
מאת:אונסקו פאריס

להלן נוסח הצעות החלטה בענין ירושלים והשטחים שמרם פורסמו.
ב. השובינים בנראה מדינות ערב בכלל ובראשן סוריה שהיא יו"ר הקבוצה הערבית :

111.6 אונסקו

EXECUTIVE BOARD - 121ST. SESSION
ITEM 5.1.3 OF THE AGENDA : IMPLEMENTATION OF 22
C/RESOLUTION 23
CONCERNING EDUCATIONAL AND CULTURAL INSTITUTIONS IN THE
OCCUPIED
ARAB TERRITORIES

DRAFT RESOLUTION SUBMITTED BY :

THE EXECUTIVE BOARD,

1. RECALLING THE CONVENTION RELATIVE TO THE PROTECTION OF
CIVILIAN
PERSONS IN TIME OF WAR (GENEVA, 1949) AND THE CONVENTION
FOR THE
PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED
CONFLICT
(THE HAGUE, 1954),

2. AFFIRMING THAT EVERYONE HAS THE RIGHT TO EDUCATION (UNIVERSAL

DECLARATION OF HUMAN RIGHTS, ARTICLE 26, PARAGRAPH 1) AND THAT
THAT RIGHT IS NOT RESTRICTED TO PRIMARY AND SECONDARY EDUCATION
BUT ALSO EXTENDS TO HIGHER EDUCATION (INTERNATIONAL COVENANT ON
CIVIL AND POLITICAL RIGHTS, ARTICLE 13, PARAGRAPH 2),
3. CONSIDERING THAT INSTITUTIONS OF HIGHER EDUCATION CONSTITUTE
FREE COMMUNITIES OF SCHOLARS AND STUDENTS THAT SHOULD ENJOY THE
UNIVERSALLY RECOGNIZED ACADEMIC FREEDOMS,
4. DEEMING THE EXISTENCE AND FREE FUNCTIONING OF THOSE INSTITUTIONS
TO CONSTITUTE FUNDAMENTAL AND ESSENTIAL ELEMENTS IN THE AFFIRMATION
AND STRENGTHENING OF THE CULTURAL IDENTITY OF THE PALESTINIAN
PEOPLE,

5. EXPRESSING ITS STRONG DESIRE TO SEE THE INHABITANTS OF THE OCCU-
PIED ARAB TERRITORIES ENJOY THE SAME ESSENTIAL RIGHTS AS ARE ENJOYED
BY ALL PEOPLES WITH RESPECT TO AN EDUCATION SUITED TO THEIR NEEDS
AND CULTURAL IDENTITY,

6. RECALLING ALL PREVIOUS GENERAL CONFERENCE RESOLUTIONS AND EXE-
CUTIVE BOARD DECISIONS CONCERNING EDUCATIONAL AND CULTURAL INSTI-
TUTIONS IN THE OCCUPIED ARAB TERRITORIES,
7. NOTING WITH GRAVE APPREHENSION, AFTER EXAMINING THE REPORT OF
THE DIRECTOR-GENERAL CONTAINED IN DOCUMENTS 120 EX/19 AND ADD. 1
AND 121 EX/49, THAT ISRAEL PERSISTS IN ITS REFUSAL TO GIVE

EFFECT
TO THOSE GENERAL CONFERENCE RESOLUTIONS AND EXECUTIVE
BOARD DECI-
SIONS AND CONTINUES TO BESET WITH OBSTACLES AND A POLICY
OF OBSTRUC-
TION THE NATURAL FUNCTIONING OF EDUCATIONAL INSTITUTIONS.
UNRWA/
UNESCO TRAINING CENTRES, UNIVERSITIES, INSTITUTES OF
ADVANCED
STUDIES AND CULTURAL INSTITUTIONS, BY TAKING MEASURES THAT
IMPERIL
THE VERY EXISTENCE OF THOSE INSTITUTIONS,

1. REAFFIRMS ALL PREVIOUS RESOLUTIONS AND DECISIONS
ADOPTED BY
THE GENERAL CONFERENCE AND THE EXECUTIVE BOARD
RESPECTIVELY IN
THIS MATTER.

2. STRONGLY CONDEMNS THE POLICY OF OBSTRUCTION AND COLLE
CTIVE
PUNISHMENTS BEING APPLIED BY ISRAEL, THE OCCUPYING POWER,
AGAINST
EDUCATIONAL AND CULTURAL INSTITUTIONS IN THE OCCUPIED
PALESTINIAN
AND OTHER ARAB TERRITORIES, THEREBY IMPEDING THE NATURAL
FUNCTIONING
OF THOSE INSTITUTIONS,

3. CALLS UPON ISRAEL, THE OCCUPYING POWER, TO COMPLY WITH
THE
GENEVA AND THE HAGUE CONVENTIONS AND TO GIVE EFFECT TO THE
RESOLU-
TIONS OF THE GENERAL CONFERENCE AND DECISIONS OF THE
EXECUTIVE
BOARD BY RESCINDING ALL MEASSURES TAKEN, ACTS COMMITTED
AND MILITARY
ORDERS ISSUED AGAINST EDUCATIONAL AND CULTURAL
INSTITUTIONS, AND

TO SAFEGUARD THE ACADEMIC FREEDOMS OF UNIVERSITIES AND OTHER EDU-
CATONAL AND CULTURAL INSTITUTIONS IN ORDER THAT THEY MAY BE ENABLED
TO ENGAGE IN THEIR ACTIVITIES WITHOUT LET OR HINDRANCE,
4 WARMLY THANKS THE DIRECTOR GENERAL FOR HIS ASSIDUOUS EFFORTS
TO HAVE UNESCO MONITOR THE FUNCTIONING OF EDUCATIONAL AND CULTURAL
INSTITUTIONS IN THE OCCUPIED ARAB TERRITORIES AND THE IMPLEMENTATION
OF THE RESOLUTIONS AND DECISIONS OF UNESCO CONCERNING THOSE INSTI-
TUTIONS,

5 INVITES THE DIRECTOR GENERAL TO ENTRUST A GROUP OF EXPERTS
INCLUDING UNIVERSITY PROFESSORS AND REPRESENTATIVES OF INTERNATIONAL
AND REGIONAL ORGANIZATIONS OF UNIVERSITIES WITH THE TASK OF CONDUC-
TING A COMPREHENSIVE STUDY OF THE CONDITIONS IN WHICH ACADEMIC
FREEDOMS ARE ENJOYED AND EXERCISED IN THE OCCUPIED ARAB TERRITORIES,
THE SAID GROUP TO GATHER THE NECESSARY INFORMATION BY SENDING A
MISSION TO THE OCCUPIED TERRITORIES AND BEARING TESTIMONY AT THE
HEADQUARTERS OF THE ORGANISATION AND TO PREPARE A REPORT TO BE
SUBMITTED, WHEN COMPLETED, TO THE EXECUTIVE BOARD FOR CONSIDERATION
AT A FUTURE SESSION OF THE BOARD,

6. DECIDES TO INCLUDE THIS QUESTION ON THE AGENDA OF THE 125TH
SESSION OF THE EXECUTIVE BOARD WITH A VIEW TO THE TAKING OF SUCH

DECISIONS AS MZAY BE APPROPRIATE.

EXECUTIVE BOARD - 121ST SESSION -
ITEM 5.4.1

JERUSALEM AND THE IMPLEMENTATION OF 22 C/RESOLUTION 11.8
(121 EX/11)

DRAFT RESOLUTION SUBMITTED BY :

THE EXECUTIVE BOARD,

- RECALLING THE PROVISIONS OF THE CONSTITUTION OF UNESCO RELATING
TO THE CONSERVATION AND PROTECTION OF AND RESPECT FOR THE NATURAL
HERITAGE AND CULTURAL PROPERTY, ESPECIALLY PROPERTY OF OUTSTANDING
UNIVERSAL VALUE,

- RECALLING THE HAGUE CONVENTION OF 1954 AND THE RECOMMENDATION ON
INTERNATIONAL PRINCIPLES APPLICABLE TO ARCHAEOLOGICAL EXCAVATIONS
ADOPTED ON 5 DECEMBER 1956 BY THE GENERAL CONFERENCE AT ITS NINTH
SESSION, IN PARTICULAR PARAGRAPH 32, WHICH STATES : ''IN THE EVONT
OF ARMED CONFLICT, ANY MEMBER STATE OCCUPYING THE TERRITORY OF
ANOTHER STATE SHOULD REFRAIN FROM CARRYING OUT ARCHAEOLOGICALN
EXCAVATIONS IN THE OCCUPIED TERRITORY''.
- RECALLING THAT EXISTING INTERNATIONAL CONVENTIONS, RECOMMENDATIONS
AND RESOLUTIONS ON BEHALF OF THE NATURAL HERITAGE AND CULTURAL
PROPERTY DEMONSTRATE THE IMPORTANCE FOR HUMANITY OF SAFEGUARDING
SUCH PROPERTY, TO WHATEVER PEOPLE IT MAY BELONG,
- CONSIDERING THAT IT IS OF IMPORTANCE TO THE ENTIRE INTERNATIONAL

COMMUNITY THAT THE NATURAL AND CULTURAL HERITAGE OF
OUTSTANDING
UNIVERSAL VALUE SHOULD BE PROTECTED.

- CONSIDERING THAT THE
HISTORIC SITE OF JERUSALEM CONSTITUTES A HOMOGENEOUS,
BALANCED
AND UNIQUE CULTURAL PROPERTY OF OUTSTANDING UNIVERSAL
VALUE AND
THAT ACCORDINGLY THE INTERNATIONAL COMMUNITY HAS DEEMED IT
TO BE
ONE OF THE INVALUABLE AND IRREPLACEABLE PROPERTIES OF
HUMANITY
AS A WHOLE, WORTHY OF BEING INCLUDED ON THE WORLD HERITAGE
LIST,
- RECALLING THE DECISION OF THE WORLD HERITAGE COMMITTEE
TO INCLUDE
THE ''OLD CITY OF JERUSALEM AND ITS WALLS'' ON THE LIST OF
WORLD
HERITAGE IN DANGER, WITH A VIEW TO PRESERVING IT FROM THE
SERIOUS
AND SPECIFIC DANGERS THREATENING IT, IN PARTICULAR THE
INCREASINGLY
RAPID DETERIORATION OF MONUMENTS, THE APPALLING
DISFIGUREMENT OF
THE ENVIRONMENT BY ISRAELI CONSTRUCTIONS, THE DESTRUCTION
RESULTING
FROM CHANGES IN THE USE OF MONUMENTS OR THE OXWNERSHIP OF
LAND AND
THE DISTORTION OF THE CULTURAL AUTHENTICITY OF PROPERTIES,

- HAVING EXAMINED THE REPORT OF THE DIRECTOR GENERAL
CONTAINED IN
DOCUMENT 121 EX/11,

- NOTING WITH DISMAY THAT ISRAEL PERSISTS IN ITS REFUSAL
TO COMPLY
WITH THE RESOLUTIONS AND DECISIONS OF UNESCO,
1 REUFFIRMS THE PREIOUS RESOLUTIONS OF THE GENERAL
CONFERENCE AND
DECISIONS OF THE EXECUTIVE BOARD PERTAINING TO THE
PROTECTION OF

THE CULTURAL PROPERTIES OF JERUSALEM.
2. STRONGLY CONDEMNS THE PERSISTENT VIOLATION BY ISRAEL, THE OCCU-
PYING POWER, OF THE HAGUE CONVENTION OF 1954, THE RECOMMENDATION
ON INTERNATIONAL PRINCIPLES APPLICABLE TO ARCHAEOLOGICAL EXCAVATIONS
AND OTHER INTERNATIONAL CONVENTIONS AND RECOMMENDATIONS RELATING
TO THE PROTECTION OF THE CULTURAL AND NATURAL HERITAGE IN OCCUPIED
TERRITORY

3. URGENTLY REQUESTS THE MEMBER STATES OF UNESCO TO PROCEED BY SUCH
MEANS AS THEY MAY DEEM APPROPRIATE TO SAFEGUARD THE CULTURAL AND
NATURAL HERITAGE OF JERUSALEM AND TO PRESERVE ITS HOMOGENEITY,
ITS UNIQUE NATURE AND ITS AUTHENTICITY,
4. REQUESTS THE WORLD HERITAGE COMMITTEE TO CONTINUE ITS ACTIVITIES
IN CONNECTION WITH THE INCLUSION OF THE HOLY CITY ON THE LIST OF
WORLD HERITAGE IN DANGER, WITH A VIEW TO TAKING APPROPRIATE FOLLOW-

UP ACTION,

5. RECOMMENDS TO THE GENERAL CONFERENCE THAT IT ESTABLISH A SPECIAL
FUND FOR THE SAFEGUARDING OF THE HERITAGE OF JERUSALEM.
6. WARMLY THANKS THE DIRECTOR GENERAL FOR HIS CONTINUING EFFORTS
TO MAINTAIN A UNESCO PRESENCE IN THE OCCUPIED HOLY CITY AND TO
ENSURE THE MONITORING OF THE CONDITION OF ENDANGERED CULTURAL
PROPERTIES.

7 INVITES THE DIRECTOR GENERAL TO KEEP THE EXECUTIVE BOARD INFORMED
OF THE EVOLVING SITUATION IN THE OCCUPIED HOLY CITY AND IMMEDIATELY
TO PUBLICIZE ALL INFORMATION ABOUT SPECIFIC THREATS.

8 DECIDES TO INCLUDE THIS QUESTION ON THE AGENDA OF THE 125TH
SESSION OF THE EXECUTIVE BOARD WITH A VIEW TO TAKING SUCH DECISIONS
AS THE NEW SITUATION MAY REQUIRE.

ירמי אונסקו

מדינת ישראל

משרד החוץ
ירושלים

עמוד

תאריך: ב' באייר התשמ"ה
23 באפריל 1985

מספר:

ט.111 אונסקו

אל: מנהל ארב"ל 3.
מאת: ס/מנהל ארב"ל 3.

הנדון: פנית פרופ' למייר - ביקור מומחה זר בבנין המועצה המוסלמית
מכתבך 273 מ- 21.4

1. הדו"ח שצורף למכתבך, מהישיבה שהתקי מה אצל ראש אגף ארב"ל ב- 19.4 אינו משקף בשלמות את עמדתי, כפי שהובעה בישיבה, וברשותך אחזור עליה להלן:

2. אינני סבור שלאי הענות שלנו לפניית למייר בקשר להזמנת המומחה הזר, אמנם תהיה השפעה מכרעת על האוירה והדיונים בנושא במסגרת הועד הפועל של אונסקו"ו.

- היות וקיים יותר מספק (או חשש) שלחפירת המינהרה ליד הכותל אמנם יש קשר לסדקים במבנה שמעל, אני מציע להכות לדוח שמכין המומחה מהטכניון (פרופ גליק) כדי שנראה בעצמנו מה המצב, לפני ששוקלים אם בכלל, להזמין מישהו מבחוץ. (הערה: בישיבה במשרד הדתות סוכם בזמנו שהנושא ייבדק מבלי שנביא את דבר הבדיקה בשלב זה לידיעת למייר).

- לתשובה חיובית אין איפא מקום לדעתי בשלב זה.
מתשובה שלילית הייתי נמנע כי אין שום הכרח בכך כבר בשלב זה. מוצע איפא לענות השובת ביניים שקיבלנו את פנייתו ואנו בודקים. כאמור לעיל דיוני הועד הפועל אינו צריכים להדות גורם בזרוז תשובתנו. עד כאן.

3. עפ"י תוצאות הדיונים בועד הפועל במושבו במאי, ולקראת הדיונים בנושא במסגרת הוע' הכללית של אונסקו"ו באוקטובר בסופיה, וכן עפ"י ממצאי המומחה מן הטכניון, נוכל לתכנן מהלכינו הבאים.

בברכה,
עוזי מנור

העתק: מר פנחס אליאב, ראש אגף ארב"ל
גב' י. ורד, יועצת לשה"ח.
מר א. בקר, מ"מ היועץ המשפטי.
מר א. שוקת, ס/מנהל לשכת המנכ"ל.
מר מ. שמיר, הנציג הקבוע לאונסקו"ו.

הקריה, רוממה ירושלים 91950 טל' 235111 (02)

ים אינסקי

מדינת ישראל

אגף העתיקות והמוזיאונים

משרד החינוך והתרבות

תאריך: א' באייר תשמ"ה
22 באפריל 1985

מספר:

111.6 אינסקי

לכבוד
מר דוד בן דב
מה' ארב"ל 3
משרד החוץ
ירושלים.

לידי שלום,

(עמוד מכון ל"ו
19/3/85)
ש. מ. בן-דב

קבלתיב תודה את מכתבך מיום 2.4.85 וגזיר העתון שבתוספת.

ובכן, שער האשפות נעשה, לאחר לבטים רבים על דעת עשרות אנשי מדע מהנדסים וארכיטקטים שאליהם פניתי לפני אישור התכנית לביצוע השער כפי שהוא כיום.

תכניתו של מ. בן דב לא מקבלת בשום צורה ולדעתי המאמר בעיתון היה בחינת קנטרנות נגדנו ביחוד שהרעיון להתייעץ בארכיאולוגים הקרובים לנושא - אינו אלא רצון להתייעץ אתו. מספיק להסתכל בדוח"ות של למר על צורת עבודתו כדי לדעת שאין לו לא הידע לא הנסיון ולא הזכות להציע פתרונות לבעית שער האשפות - והרי כאמור התייעצתי עם מומחים רבים בדולים יותר, לפני מתן האישור.

ולגופו של ענין - אין להחזיר את שער האשפות לקדמותו ולו - גם מן הסיבה הפשוטה שאין לנו כל מידע על צורתו הקדומה, מלבד כמה פרטים לגבי השער מבחוץ - אין לנו שום מושג איך היה נראה מן החומה ופנימה ולכן - כמובן אי אפשר לשחזר תיקון השער במוצע בתכניתו וגם הוא זיוף כי איש לא יעלה בדעתו לשקם את המגדל שהיה צמוד אל השער ואשר פורק אף הוא.

סיבה נוספת להתנגדות היא כמובן הצעתו לפרוץ פתח נוסף בחומה לצרכי הרכב. כל הזמן אנו נלחמים שבשום אופן לא יפרצו עוד את חומת העיר העתיקה. על כן היו מאבקים בשעתו כשהיתה הצעה לפרוץ שער אל הרובע היהודי. אם פעם אחת יפרצו פתח בחומה, אזי אנו פותחים פתח (תרחי משמע) להרבה פריצות נוספות בחומת העיר, ותאר לך מה תהיה על כך התגובה בעולם ואצל בעלי מקצוע בכל מקום.

מר בן דב עצמו הציע תכניות נוספות לפתרון הבעיה התחבורתית במקום, בספרו על חומות ירושלים. אז מה זו שובה יותר? והאם היא האחרונה בסדרת ההצעות?

ובאשר לסיפא של מכתבך. קבלתי את הדו"ח הוא נראה לי טוב בהחלט. לא הגבתי עליו כי העברתיו לאחי איתן, מנהל אגף העתיקות לתגובה ועדיין לא קבלתי ממנו תגובות, אני מחין איפה לתשובתו ובהתאם לה אעביר אליך מכתב.

ב ב ר כ ה,

דן בהט
ארכיאולוג מחוז ירושלים

ת"ד 586 ירושלים 91004 טלפון 5—(02) 285151

אונסקו ירושלים

מדינת ישראל

משרד החוץ
ירושלים

תאריך: א' באייר תשמ"ה
21/4/85

מספר: 273

111.6 אונסקו

אל: ~~מר~~/גב'

מאת: מנהל ארב"ל 3

הנדון: פגישת פרופסור ר. למייר מיום 14.3.85 בעניין הזמנת מומחה זר לבדיקת בנייך מטה המועצה המוסלמית בירושלים

1. הנני מצ"ב דוח שנרשם ע"י מר י. גרברג (ארב"ל 3) מיום 21.3.85 על הפגישה שנערכה אצל ראש אגף ארב"ל ב-19.3.85 על הפגייה הנ"ל.

2. לנוחיותכם להלן כמה ציטטות:-

א. סעיף 3 בהחלטה 5.3.1 מיום 3.10.84 של הנעה"פ מבקש "מידע נוסף" מאת המנכ"ל ובמיוחד על:
"THE IMPACT OF THE DIGGING OF A TUNNEL ALONG THE WESTERN WALL OF HARAM AL-SHARIF, AND THE EXPERTS' STUDY ON THE BUILDING OF THE MONDAGQIA".

(סעיף 2 א' בדוח המצ"ב).

ב. בסעיף 4.1 בדוח פרופסור למייר מיום 4.8.85 מופיעים, בין היתר, המשפטים הבאים:

IN VIEW OF THE TENSE ATMOSPHERE BETEEN THE PARTIES CONCERNED, IT IS UNLIKELY THAT AN ISRAELI ENGINEER WOULD BE ACCEPTABLE TO THE ARAB SIDE. THE CHOICE OF A FOREGN SPECIALIST WOULD THEREFOR SEEM TO BE THE BEST SOLUTION.....

THE ISPAELI AUTHORITIES FAVOUR THE APPOINTMENT OF AN ENGINEER FROM THE TECHNICAL UNIVERSITY OF HAIFA....."

(סעיף 3 בדוח המצ"ב).

3. בנפרד ישלח נוסח התשובה המוצעת למכתב פרופ' למייר ברוח הסכום מיום 19.4.85.

בברכה,

דוד בן-דב

העתק: מר מאיר שמיר הנציג הקבוע ליד אונסק"ו פריס

מדינת ישראל

משרד החוץ
ירושלים

תאריך: ט' באייר תשמ"ה
21/4/85

מספר:

הדיון בנושא ירושלים במושב ה-120 של הועה"פ
של אונסק"ו בפריס - 9.5 - 21.6.85
דוח פרופסור ריימונד למייר

1. ב-19.4.85 נערך באגף ארב"ל דיון על פניית פרופסור למייר מיום 14.3.85 אל מנהל ארב"ל 3 להסכים להצעתו לשגר מומחה ביג"ל לבדיקת בניין אל מדראסה אל מנג'אקייה (בניין מטה הוואקפ). להלן תמצית דברי המשתתפים:

2. דוד בן-דב:

א. במכתבו מיום 14.3.85 מזכיר למייר שהחלטת הועה"פ בענין ירושלים שהתקבלה ב-3.10.84 מכילה בקשה אופרטיבית יחידה והיא דוח מומחים לגבי בנין מטה הווקף שמדרגותיו נפלו ושנוצרו בו סדקים בעבר. פרופסור למייר מונה שורה שלמה של מומחים ביג"ל לבחירתנו ומדגיש שהוא מוכן להתלונן אישית למומחה, כדי להבטיח אובייקטיביות מקצועית מושלמת. למר מדגיש במכתבו שאם לא תהא הענות לבקשה זו, יבוצל הדבר ע"י משלחת קיצונית ויפגע המאמץ לשמור על האוירה המתונה יחסית שהושגה בדיון על ירושלים ב-3.10.84. למייר סבור שעליו להביא עובדה זו לידיעתנו וממליץ מאוד, לטובת הענין, להגיב בחיוב ולו רק עקרונית.

ב. קיים איפוא הצורך לבדוק את האופציות בפניינו ולהגיע לכלל החלטה בדבר התשובה הרצויה תוך המנעות ממתן תשובה שלילית החלטית כבר עתה ועל הסף. מצד אחד קיים השקול המדיני-הסברתי הכרוך בדיוני הועה"פ והידיד הצבוריים ומצד שני שקולי ריבונות, תקציב ועלות כספים אפשרית.

ענזי מנור: - מזכיר שפניינו למומחה ידוע שם מהטכניון (פרופסור גליק) כדי שיבדוק הבנין וישפיעו לגבי הסבות לסדקים וכו' (האם נגרמו בגלל חפירת המינהרה; או בגלל תמורות בשכבות בתת הקרקעיות שהזמן גרמם ללא קשר עם המינהרה; או בגלל שניהם גם יחד). הדוח אמור להגיע לידיעתנו בימים הקרובים.

יעל ורד:- סוקרת את ההסטוריה של הפרשה מאז 1968 על כל היבטיה ומביעה דעתה שהזמנת מומחה זה עשויה לפגוע בפרופ' גליק. ראש העיר אמר למייר בבקורו בינואר 1984 שיוזמן מומחה מהטכניון למטרה זו ועליו לדבוק בדרך זו. יש בפנית אונסק"ו זו משום רצון להרחיב את ידיעת ההתערבות המדינית מטעם אונסק"ו בעניני העיר. יש להשיב למייר שאנו מצפים לדוח מומחה הטכניון ~~[illegible]~~ יועבר לידיעתו לאחר השלמתו (בבוא העת יוחלט איזה חלק מהדוח יש להגיש).

2/..

מדינת ישראל

משרד החוץ
ירושלים

תאריך: - 2 -

מספר:

אלן בקר :- יתכן שללמייר כוונות טובות אך הנסיון באונסק"ו הנו מר למדי. יתכן שלמרות רצונו של הפרופסור ואולי אפילו "כמה מאנשי המזכירות (משקולים שלהם) למנוע התקפות קיצוניות בנושא זה, הן בכ"ז התרחשנה בגלל גישתן הקיצונית של משלחות מסוימות שאינן מתחשבות בנזקי הפוליטיזציה. ההסכמה לבואו של מומחה זה ע"פ הצעת למייר עלולה לפתוח פתח לתביעות נוספות. מציע להשיב שאנו בודקים העניין בעזרת מומחנו המתאימים.

אבי שוקת:- מודע לסכנת יצירת תקדימים (משלחות זרות) ומחייב גישת יעל נרד.

דוד בן-דב:- אין טעם במתן תשובה שלילית פסקנית נעדיין לא ידוע מה תהיה האוירה בדיוני המושב ה-121 ומה תהיה עוצמת הלחצים למניעת פוליטיזציה העלולה להרוס הארגון לחלוטין. על כן יש לקבל ההצעה להשיב תשובת ביניים שבשלב זה אנו מצפים לדווחו של מומחה משלנו שהנו בעל שם עולמי מוכר ושלאחר נתוח דוחו, נשיב ונשקול פנייה למייר ע"פ הצורך. בתשובה כזאת אין משום דחייה פסקנית ונקו-משמעית של פנייתלמייר, אך אין גם התחייבות מראש כבר עתה לקבל מומחה זה שילבוה אליו. תשובה כזאת אולי תסייע ללמייר (אם כי אין בטחון בכך).

3. התעורר ונכון אם יש לציין את שם המומחה מן הטכניון על כל הישיגיו האקדמיים. פנחס אליאב ואחרים תומכים ויעל נרד מתנגדת. דוד בן-דב מזכיר שבדצמ"ח למייר מיום 4.8.85 מוזכרת בפרוש הפנייה למומחה מן הטכניון. אין זה סוד.

4. סכום

א. אין אנו מעוניינים בשלב זה במומחה זה אך יש להמנע ממתן תשובה שלילית מוחלטת בשלב זה. אנו דניים בנושא בכובד ראש ואמנם החלטנו להטיל על מומחה ישראלי בעל מוניטין בינ"ל לבודקו כראוי ולהגיש לנו דו"ח מתאים. עם קבלתו נחזור ונתקשר עם הנוגעים בדבר.

ב. אם יהיה צורך נפנה למנכ"ל בדבר הפלגות אם יש או אין לנקוב בשמו של המומחה מהטכניון.

5. המשתתפים בדיון

מר פ. אליאב, ראש אגף ארב"ל

גב' י. נרד, יועץ לשה"ח

מר ד. בן-דב, מנהל ארב"ל 3

מר א. בקר, מ"מ היועץ המשפטי

מר ע. מנור, ס/מנהל ארב"ל 3

מר א. שוקת, ס/מנהל לשמנכ"ל

מר י. גרברג, ארב"ל 3

רשמ אונסקו

שגרירות ישראל

AMBASSADE D'ISRAËL

פאריס כ"ח בניסן התשמ"ה

19.4.85

מס' 1666

111.6 אונסקו

211.16

אל : מר ד. בן-דב, מנהל ארבל 3

מאת : הנציג הקבוע ליד אונסקו

הנדון: ספרות גזענית בתערוכה בחסות אונסקו

מכתבך מס' 211.1 מיום 15.4.85

1. מר עוזי מנור ראה את התערוכה ואני ביקרתי בה פעמיים ועברתי היטב על כל המוצגים. לא ראינו חומר פוגע בישראל.

2. בררתי עם האחראים באונסקו את הידיעה שהופיעה ב-"מינוט" וקיבלתי את התשובה הבאה: המזכירות היתה ערה לסכנות כשהסכימה לתערוכה האיראנית וקיבלה הבטחה מפורשת מהנציגות הקבועה של מדינה זו ששום חומר פוגע במדינה חברה לא יופיע בתערוכה.

אנשי המזכירות עברו על כל המוצגים לפני הפתיחה הרשמית של התערוכה כדי לוודא שאמנם מקיימים את ההבטחה.
שום חומר פסול לא נמצא.

3. שאלתי אנשים אחרים שביקרו בתערוכה האם ראו חומר כמוזכר בידיעה שהופיעה ב-"מינוט" והתשובה בכל פעם היתה שלילית.

4. הידיעה הופיעה רק בעתון הנ"ל שאיננו מצטיין במהימנות ולא נראה לי שיש בסיס מספיק רציני להגיש מחאה לאונסקו.

5. אחד הפקידים במזכירות העלה סברה שבין הספרים שהוצגו בשפה הפרסית ייתכן והיה גם "הפרוטוקול".
אף אם נקח אפשרות זו בחשבון, לא יכלה להיות כל תהודה לספר, פרט אולי לכתב "מינוט".

ב ב ר כ ה

מאיר שמיר

מאיר שמיר

העתק: מר פ. אליאב, רא"ש אגף ארבל

3, RUE RABELAIS - 75008 PARIS - TÉL. 256.47.47

אונסקו, ירח

111.6 אונסקו

כ"ה בניסן תשמ"ה
15/4/85

267
211.1
211.1.6

אל: מר מאיר שמיר, הנציג הקבוע ליד אונסק"ו פריס

מאת: מנהל ארב"ל 3

הנדון: ספרות גזענית בתערוכה בחסות אונסק"ו

1. הנני להתיחס לפסקה הראשונה במרק שג פאריס נר 70 מיום 4.4.85 (סקירת שבועונים) המתיחס לידיעה שפורסמה באותו יום בכתב העת הימני "מינוט" עליה נמכרו עותקים בצרפתית של הספר "פרוטוקול זקני ציון" במסגרת תערוכה מטעם אונסק"ו לציון יום השנה למהפכה החומינאיסטית באיראן.

2. הנני מבין מפי מר עוזי מנדר שכבר נקטת פעולה לברור הרקע לתופעה מביאה זו כדי לבדוק כיצד הגיחה מזכירות אונסק"ו לאיראנים לשלב ספרות גזענית ממארת מסוג זה בארוע שנערך בחסות הארגון.

3. האם יש מקום להגיש מחאה נאותה למזכירות אונסק"ו?

4. נמסר לי מפי גב' יעל ורד שארועים דומים מעמנו נבדקו היטב מראש בעבר.

5. נודה לך על הבהרותיך.

ב ב ר כ ה ,

דוד בן-דב

העתק: מר פ. אליאב, ראש אגף ארב"ל
גב' י. ורד, יועץ לשה"ח
מר ע. מנור ס/מנהל ארב"ל 3
השגרירות פריס
אירופה 1

United Nations Educational,
Scientific and Cultural Organization

Executive Board

e.

Hundred-and-twenty-first Session

121 EX/11
PARIS, 15 April 1985
Original: French/English

Item 5.4.1 of the provisional agenda

JERUSALEM AND THE IMPLEMENTATION OF 22 C/RESOLUTION 11.8

SUMMARY

In resolution 11.8 adopted at its twenty-second session, the General Conference requested the Director-General to keep the Executive Board informed of developments in the situation regarding cultural property in Jerusalem. After examining the information which the Director-General submitted to the Executive Board at its 120th session, the Board invited the Director-General in 120 EX/Decision 5.3.1 'to take whatever steps he deems necessary to obtain the additional detailed information required, and to report to the 121st session of the Executive Board'. In this document the Director-General submits to the Executive Board a report on the action he has taken to give effect to the above-mentioned decision.

I. INTRODUCTION

1. At the 120th session of the Executive Board, the Director-General informed the Board of the action taken to give effect to 22 C/Resolution 11.8 of the General Conference and also of the communications which he had received on the safeguarding of the cultural heritage of Jerusalem (document 120 EX/14).

2. After examining this document, the Executive Board adopted 120 EX/Decision 5.3.1, the text of which is annexed hereto and includes the following three paragraphs:

> 'Considering it necessary, after examination of the above-mentioned report and in the light of the relevant discussions, to provide additional detailed information, in particular on the following:
>
> - the effects of the digging of a tunnel along the western wall of Haram al-Sharif; the experts' study on the fabric of the Al-Madrasa Al-Manjakiyya,
>
> Considering also that the Israeli occupation authorities have not yet replied to the letter of the Director-General dated 27 July 1984,
>
> Invites the Director-General to take whatever steps he deems necessary to obtain the additional detailed information required, and to report to the 121st session of the Executive Board.'

II. COMMUNICATION RECEIVED BY THE DIRECTOR-GENERAL CONCERNING JERUSALEM

3. The Permanent Delegate of Israel sent the Director-General a letter dated 22 February 1985, which is reproduced below:

> 'Paris, 22 February 1985
>
> Sir,
>
> May I refer to my letter dated 2 May 1984 concerning an attempt to invade the Temple Mount in Jerusalem.
>
> Two of the defendants are hospitalized for medical care and against the third an action is brought in a court of law.
>
> Thus the matter is still 'subjudice' until the court's verdict is pronounced.
>
> Accept Sir, the assurances of my highest consideration.
>
> Meir SHAMIR
> Minister plenipotentiary
> Permanent Delegate of Israel'

4. The Permanent Delegate of Israel's communication of 2 May 1984, referred to in the above, was brought to the notice of the Executive Board at its 120th session (cf. document 120 EX/14, paragraph 6).

III. MISSION OF THE PERSONAL REPRESENTATIVE OF THE DIRECTOR-GENERAL

5. In pursuance of 22 C/Resolution 11.8 of the General Conference and 120 EX/Decision 5.3.1 of the Executive Board, the Director-General instructed his personal representative, Mr Raymond Lemaire, Professor at the University of Louvain, to visit Jerusalem from 5 to 9 March 1985. Following his mission, which was carried out after consultation with the Government of Israel, Professor Lemaire delivered to the Director-General his report, which is reproduced in full below:

1. Date of the mission - 5 to 9 March 1985.

2. Purpose - to examine the cultural heritage of Jerusalem, particularly in connection with the problems mentioned in my general report submitted to the 120th session of the Executive Board or raised during the discussion of item 5.3.1 of its agenda.

3. Persons met:

3.1 Israeli:

Mr T. Kollek, Mayor of Jerusalem;

Mr P. Elian, Deputy Director-General of the Ministry of Foreign Affairs;

Mr D. Ben Dov, Director of the Human Rights Department of the Ministry of Foreign Affairs;

Mr I. Gerberg, Mr Ben Dov's Deputy Director;

Mrs Y. Vered, Adviser for Jerusalem to the Minister of Foreign Affairs;

Mr A. Eytan, Director of the Department of Antiquities of the Ministry of Culture;

Mr A. Byran, Honorary Director of the Department of Antiquities, Member of the National Commission for Unesco;

Mr A. Avigad, Professor at the Hebrew University;

Mr D. Bahat, Conservator of the Monumental Heritage of Jerusalem, Department of Antiquities;

Mr Y. Yaacovy, Chairman of East Jerusalem Development Ltd;

Mr N. Kidron, Engineering Adviser to the Ministry of Religious Affairs;

Mrs R. Sivan, Curator of the Museum of the Citadel, Jerusalem;

Mr P. Bugod, architect;

Mr N. Melzer, architect.

3.2 Arab:

Mr Y. Awad, Resident Architect of the al-Aqsa Mosque and Haram al-Sharif Restoration Committee;

Mr Y. Natshe, Director of the Department of Islamic Archaeology;

Mr H. Ahmad Abdallah, Director of the Archives of the Higher Islamic Council and Wage Administration of Jerusalem;

Mr F. Hazine, Director of the Waqf, and Mr A. Husseini were absent from Jerusalem at the time of my visit.

4. The excavations

To my knowledge and on the basis of a detailed inspection of the city, no new site for excavation has been opened since my visit in July 1984. Furthermore, none of the sites previously excavated shows any signs of recent activity. It therefore appears that all excavations have been halted in Jerusalem at present. Moreover, during my conversations with officials of the Department of Antiquities, no mention was made of any new project of this sort.

It should be noted:

(1) That a project is currently being prepared by the architect, Nachum Melzer, for the permanent consolidation and presentation to good effect of the remains of the wall on the east slope of the Ophel hill (City of David). The project covers the remains unearthed during work carried out on the site over almost a century, particularly by Kathleen Kennyon (1967-1968) and Y. Shilo (1978-1983). The walls and pitching built over the last few years to consolidate the side of the hill will be planted over in the course of the works. According to the archaeologists in charge, the project marks the end of all archaeological activities on this site.

(2) The work at the Damascus Gate to uncover Roman remains has been completed. There are no excavations in progress. The remains of the Roman Gate have been consolidated. A site museum of great importance for the town of Aelia Capitolina, which was rebuilt by the Emperor Hadrian after the destruction of the City of Herod in the year 70, has been established in the basement of the structure and under the public square within the walls immediately behind the Gate.

(3) The part of the site opened by Professor Mazar in his day to the south and west of the Haram al-Sharif and located inside the wall is at present suffering from an obvious lack of maintenance. The uncovered remains, which date from the earliest period of the city's history down to the Umayyad period, are certainly not endangered, but the site is definitely in need of cleaning and maintenance. On the other hand, the part of the same site located outside of the wall, which includes mainly Roman, Byzantine and Umayyad remains, is well maintained and can be visited. There is no need to discuss here the unfortunate hypothetical reconstruction work carried out on the site three years ago, which is highly debatable in aesthetic terms. It has been dealt with at length in previous reports.

The attention of the responsible authorities has been drawn to the possible consequences of the present situation. It is their intention to take prompt corrective action. It has been confirmed that no new excavations are planned in this sector, nor any extension to other sites adjoining the Haram al-Sharif.

5. The tunnel

The tunnel which has been dug under the buildings of the Arab quarter along the Western wall of the Haram al-Sharif has not been carried any further; its length is the same as it was in July 1984. As is known, the tunnelling was halted in April 1984 by a decision of the Prime Minister of Israel, mainly as a result of serious problems of stability at al-Madrasa al-Manjakiyya, the Headquarters of the city's Islamic Council (cf. my reports of 6 May 1983, 19 October 1983, and 4 August 1984).

The consolidation of the tunnel has been completed, with the exception of two small sections which will be completed shortly. Major consolidation work using reinforced concrete has been carried out under al-Madrasa al-Manjakiyya, where large ancient cisterns are located.

This work ought to ensure the overall stability of the buildings standing over this part of the tunnel, but as the excavations have disturbed the rubble on which these buildings rest, they could undergo smaller movements in the future. An expert on stablility acceptable to the two parties has not yet been appointed in accordance with the wish expressed by the Executive Board in October 1984 in decision 5.3.1 (120 EX/14). I have drawn the attention of the Israeli authorities to this fact and suggested the names of some experts of international reputation.

Furthermore, the Waqf architects have not yet received the plans and cross-sections of the tunnel; nor have they been invited to visit it. This has been proposed on several occasions, and the idea was accepted by Mr Burg, the Minister of Religious Affairs, in April 1983 but as yet no action has been taken. Efforts have been made to relaunch the proposal.

I was not able to meet the architect responsible for Waqf properties, Mr A. Husseini. According to Mr Awad and Mr Natshe, who belong to the same administration and regularly visit the Islamic Council building, there has been no major new damage since my last visit in October 1984.

6. The work on providing amenities and public areas

6.1 The renovation of sewers and paving has continued, mainly in the Christian quarter and in the northeastern sector of the Arab quarter. However, as in every other part of the city, the streets have been paved with local natural stone. I was not informed of any problems of stability or other recent damage resulting from this work. Moreover, according to Mr Yaacovy, Chairman of East Jerusalem Development Ltd., the damage caused by previous work has been repaired and buildings of uncertain stability have been reinforced, generally by means of flying buttresses built over the street in accordance with the normal practice in Jerusalem. In this connection, perhaps it is worth noting that the proliferation of such buttresses might alter inordinately the appearance of certain picturesque streets in the city and thus impair their traditional image and balance.

6.2 According to a recent report prepared by East Jerusalem Development Ltd., the following work has been carried out to date in connection with the renovation of infrastructures, paving, and amenities within the wall of Süleyman the Magnificent:

renovation of infrastructure	7,750 m
renovation of paving	33,400 m^2
drainage	5,853 m
renovation of sewers	10,416 m
new water-supply conduits	12,100 m
buried telephone cable	30,825 m
buried television distribution cable	20,585 m

buried street lighting cable	12,365 m
street lighting installations	505
electricity transformer stations	4
reinforced buildings	181
buildings demolished because of inadequate stability	5

The map appended to the report prepared by East Jerusalem Development Ltd., indicates that this work covers practically all of the Armenian, Jewish and Christian quarters and also a large part of the Arab quarter, with the exception of the sector of the city situated to the northeast and bounded by the wall, the former Decumanus East (el Wad Street) and the Via Dolorosa. In this sector, only Bab Hutta Street and a few adjoining alleyways have been included. The removal of television aerials does not affect the Arab quarter.

The renovation of amenities in this quarter is planned to take place at a later stage. According to Mr Kollek, the city's Mayor, the resources available for the provision of amenities and development of public areas have not been appreciably curtailed, in spite of the substantial budgetary restrictions imposed on the municipality of Jerusalem because of the general economic situation of the country.

7. The landscaping around the wall built in the sixteenth century by Sultan Süleyman has been completed. The same applies to the walk along the parapet of the wall.

Since October 1984, work has been carried out on the Dung Gate in the southern side of the wall, which was originally a very narrow gate and was widened during the Jordanian period between 1947 and 1967. The widening of the gate has been maintained, as this is one of the main access routes to the Wailing Wall and the lower part of the city. However, the concrete girder has been replaced by a flattened arch, above which the remains of the original gate have been preserved and restored.

The road which enters through this gate is being improved and vehicles and pedestrians separated because of the volume of traffic.

8. Birkat Israel. According to the Mayor of Jerusalem, the talks between the municipality and the Waqf authorities on the clean-up and development of this site have resulted in a solution satisfactory to both parties which will shortly be implemented.

9. Al-Madrasa al-Jawhariyya remains in the same state as in October 1984. The Israeli authorities, who were responsible for the damage and who financed the temporary strengthening work, are still willing to carry out or to bear the costs of restoration, but constructive contacts have not yet been established with regard to this matter between the parties involved. Amongst other questions, there is doubt as to who will be in charge of the work. Should the party responsible for the damage carry out the work with the full consent of the owner, or should the latter take the initiative with the payer's agreement? There is a will to resolve the problem on both sides, and thus it is probable that an agreement will be reached shortly and that constructive contacts will be arranged between the parties concerned.

10. The Waqf services, and the Department of Islamic Archaeology in particular, have undertaken the restoration of al-Madrasa al-Kilaniyya. The work, which concerns the façade for the most part, is being carried out with great care and after detailed archaeological study. However, as the occupants are to remain in their homes during the work and the practical and utilitarian improvements which they have made are to be preserved, there is no possibility of achieving either a real clean-up or the reinforcement and restoration that would ensure at once the survival of the building, the effective enhancement of its architectural qualities, and its use as decent and satisfactory accommodation. Certainly the order and dignity of the façade will be restored, but it will not be possible for the interiors of the buildings to be adequately refurbished or upgraded to the health standards required for minimal acceptability as living quarters. It should not be forgotten that most of the old buildings, mainly in the lower part of the city, are very damp, and that some of them - generally speaking, the most interesting ones in architectural terms, in particular the madrasas and mausoleums were not intended and are not suitable for the dense family accommodation which they provide at present. They lack the lighting, ventilation and facilities necessary for decent accommodation. Where facilities, in particular sanitary facilities, have been added, this has been done at the expense of essential architectural features, which have suffered extensive damage. In addition to these drawbacks, the premises are extremely damp and rubble and debris have piled up in unoccupied premises and courtyards. The conclusion of this analysis, which is applicable to a very large number of extremely important Islamic monuments in Jerusalem, is that mere superficial restoration work, such as work on façades alone, is entirely inadequate to save this heritage and to provide improved or merely viable accommodation in such parts of these buildings which are suitable for use as dwellings without permanent damage to the buildings in question.

The state of preservation of al-Madrasa al-Muzhariyya (built in 1480-1481), one of the pearls of Mameluke architecture in the city whose restoration is currently under study, fully confirms this diagnosis. Only major action scientifically planned in every respect with a view to seeking to rehabilitate the building before cleaning up its exterior, can guarantee the future of this remarkable work of Islamic architecture. The same observation unfortunately applies to most similar monuments in Jerusalem. Indeed, it should be realized that most buildings have deteriorated to such a point that solutions which involve only the restoration of their façades without regard for the rehabilitation of their internal structures may prove to be short-lived, as the causes of deterioration will not have been removed; furthermore, such solutions will not help to improve living conditions in the Arab quarter which, particularly in buildings classed as monuments, barely meet or fall short of the minimum requirements for health and habitability.

11. The restoration of the al-Aqsa Mosque is continuing normally. Measures will be adopted with a view to the renovation in the near future, of the covering of the cupola, which at present consists of silver-coloured aluminium. It will be restored to its original form and covered as before by lead sheeting.

12. I visited the archives depository of the Higher Islamic Council and Waqf Administration of Jerusalem, located in one of the buildings on the northern side of the Haram al-Sharif. The person in charge of this depository is Dr Ahmad Abdallah Yusef. The archives, part of which will soon be moved to a new depository possessing reading rooms equipped with microfilm readers and a library, are in general in an average state of conservation. However, many items, including a collection of manuscripts, require urgent attention involving the same type of equipment as in the case of the manuscripts in the al-Aqsa Library and in the Museum.

Many archives, mostly of recent date and of undetermined interest, are stored in alarming conditions in a small octagonal structure on the Haram al-Sharif. These archives should be removed at once to a more appropriate storage area and treated without delay in order to prevent their rapid destruction.

13. The reorganization of the al-Aqsa Museum has almost been completed. An extremely varied array of precious objects (manuscripts, archives, pottery, stone and wood sculpture, costumes, ironwork, etc.,) of great interest are presented with restraint and taste. A number of objects on display have been restored very carefully so that a clear distinction can be made between original parts and parts which have been reconstructed in order to complete the essential lines of the works of art concerned, in accordance with current practice in this field.

R.M. Lemaire

19 March 1985

6. In this document, the Director-General conveys to the Executive Board all the information in his possession at 29 March 1985. The Director-General is deeply conscious of the importance of the cultural heritage of Jerusalem and will continue to do everything within his power to ensure that the resolutions of the General Conference and the decisions of the Executive Board are put into effect, sparing no effort with a view to the preservation of the city of Jerusalem, which belongs to the heritage of all mankind.

ANNEX

5.3 Culture

5.3.1 Jerusalem and the implementation of 22 C/Resolution 11.8 (120 EX/14 and 120 EX/37)

The Executive Board,

1. Recalling all the resolutions and decisions adopted by the General Conference and the Executive Board of Unesco regarding the protection and safeguarding of the cultural property in the city of Jerusalem, in particular 22 C/Resolution 11.8,

2. Having noted the report of the Director-General contained in document 120 EX/14,

3. Considering it necessary, after examination of the above-mentioned report and in the light of the relevant discussions, to provide additional detailed information, in particular on the following:

   the effects of the digging of a tunnel along the western wall of Haram al-Sharif; the experts' study on the fabric of the Al-Madrasa Al-Manjakiyya,

4. Considering also that the Israeli occupation authorities have not yet replied to the letter of the Director-General dated 27 July 1984,

5. Invites the Director-General to take whatever steps he deems necessary to obtain the additional detailed information required, and to report to the 121st session of the Executive Board;

6. Decides to include this topic on the agenda of its 121st session so as to take an appropriate decision on the matter in the light of the Director-General's report.

III. 6

Prof. Dr. Jacob Gluck
Structural and Earthquake Engineering
39 Hess St., Haifa 33397
Tel. 04-644156 (home)
Tel. 04-293047 (Technion)

3.4.1985

Mr. M. Zelikovitz
Director
Department of Holy Sites
Ministry of Religious Affairs
Jerusalem

Dear Sir,

Re: Expertise Concerning Western Wall Excavation Work

This expertise is based on two inspections of the Western Wall and Moslem Quarter, which I made on two different occasions, as well as on extensive conversations with all the authorities concerned, the persons in charge of execution of the work at the site, the Jerusalem Municipality and the workers carrying out the actual work since the start of excavation, the Archeological Division and the consulting engineer for excavation work.

1. General

The entire Moslem Quarter area, which extends alongside the Western Wall, lies about 10-12 metres above the rock base underlying the Wall. The undersoil layers are a combination of fill and the debris of ancient structures from different periods. Most of this composite contains organic material, originating in cisterns, which have been there since ancient times. The strength characteristics of the subsoil change with variations in humidity.

Up to the time of the 6Day War, when drainage and sewage systems, as well as a water supply system, were installed, the moisture regime of the subsoil was affected by water cisterns and rain water only. Flooding of the sewage wells and the underground flow of rainwater had in the past undermined the stability of many structures in the area. The installation of the running water supply, as well as drainage of the area, brought about some stabilization of the subsoil moisture regime. However, there is still a possibility of occasional settling of the subsoil in certain areas. Uniform settling over a large area generally does not cause damage. If a structure is supported in part by subsoil with a tendency to settle and in part by a stable structure, which does not settle, or, as is evident in structures adjacent to the Wall, which are partially retained by the Wall, which provides a stable support, and partially by subsoil, which tends to settle, differential settlement may occur. Since the structures in question are built of stone, which is a rigid system, they can not withstand such differential settlements. A large portion of the cracking of buildings in this area during the past few years is due to the above. Earthquakes, which occur from time to time in this region, have also contributed to the weakening of the structures.

2. <u>The Tunnel and its Effect on the Area</u>

The tunnel is located alongside all all its entire length adjacent to the Wall, including certain places where it has penetrated halls and chambers filled with dirt and organic waste. Except for one

point (which I will describe in more detail in the section dealing with the Waqf building), I found no indication of cracks in the vaults or in the walls. Neither did I find any movement that could have altered the stability of the subsoil or of the structures supported by the lower halls. I would like to emphasize that since the vertical rigidity of the vaults is much greater than that of the fill, the fill removed from the halls and chambers never served to transfer the upper loads to the rock base. It follows, that the entire load borne by the vaults was directly transferred to the walls and from there to the rock base, without overloading the removed fill. Statically, the removed fill provided no support whatsoever in the load transferring process. Due to safety considerations, in some locations in the tunnel, where it was likely that the load bearing resistance of the walls might be weak, they were covered with a reinforced concrete layer that ensured direct transfer of the load to the rocky base.

Excavation of the tunnel itself was carried out gradually, 50-60cm at a time. Upon completion of a horizontal excavation of 50-60cm, reinforcements were immediately installed, the soil and stones replaced in the void between the excavation and the reinforcements. The reinforcements are made in part of a steel frame with 10mm thick steel plates, and more recently, of prefabricated elements.

3. Cracks in Structures in the Moslem Quarter.

Most of the buildings in the Moslem Quarter "float" on a

non-homogeneous substructure, composed in part of fill layers, reaching down to the rocky base, and partially on ancient structures dating back to various periods. As a result of changes in the humidity regime of the subsoil, due to the installment of a running water supply and sewage systems, as well as the control of water leakage from sewage and water pipes, the mechanical properties of the substructure have recently changed. In areas in which the subsoil is homogeneous, changes in humidity could have caused uniform settling of structures, without resulting in any damage. In areas of non-homogeneous subsoil, soil settlings are not uniform and differential settling may occur. The rigid stone structures can not withstand differential settling. This leads to cracking of the structures; the extent of cracking depends on the mechanical properties of the structure and the extent of differential settling. This accounts for the fact that structures parallel to the Wall and located at a distance of about 80m are cracked, whereas structures adjacent to the Wall are not. This also explains why structures partially supported by the Wall, and in part by a settling substructure are now cracked, or likely to crack in the future.

For example, the Al-Jawhariyya building, at the point nearest the Wall, is 12-13m diagonally distant, in the vertical plane, from the tunnel. The foundation of the structure, the dimensions of which are quite large in the horizontal plane, lies on a non-homogeneous substructure, which is sensitive to changes in humidity. Stabilization of the humidity regime, after the drastic changes wrought during recent years, as a result of the installation of running water and sewage systems, is a slow process and non-predictable, due to lack of knowledge relating to substructure characteristics.

It would be impossible for me to point out any relation between the cracks in the Jawhariyya building and excavation of the tunnel.

4. The Waqf Building

The building extends over a length of about 37m parallel to the Wall and a width of 14m perpendicular to it. The depth of the tunnel at this point is 9m. This is the only place where I can point out any correlation between excavation of the tunnel and damage to the structure. The damage is manifested by the sinking of several steps, as a result of the settling of the fill on which they rested. In the course of the excavation of the tunnel, when the hall underneath the steps had been reached (see Plan No. 5), removal of the chamber fill was begun, as had been done in previous chambers, in the hope of reaching the vault. However, it seems that the vault had been destroyed when the upper structure had been built, or previously, so that the excavations nearly reached the steps of the Waqf. The steps then sank into the void created in the subsoil. This was rectified by casting an intermediate concrete slab, which serves as a stable support for the steps. I consider this a correct engineering solution for avoiding any further damage. In order to assess the extent of the structure's stability factor following these repairs, special gauges have been installed at two sites alongside the cracks, in order to measure the extent of opening of possibly active cracks. The two locations are (See Waqf building plan):

a. Site 1 - In the stair area, where the damage is the result of fill removal. According to the Municipality Report on measurements taken at this site, it appears that the settlements have subsided and at present, represent about 2% of the total amount during the most active period. There are clear indications that the substructure has stabilized. Nevertheless, the cracks must be monitored, and measurements of crack development should be followed up. The results should be compared with the previous measurements. As soon as there is any evidence of accelerated crack development, a plan for strengthening of the substructure must be put into effect at once.

b. Site 2 - In the area above hall number 151. The ceiling of the hall consists of a vault, with no signs of settling or cracks. This means that the substructure on which the hall rests has not settled. Therefore, cracks appearing in the level above the hall can not be attributed to settling of the substructure above the tunnel. I would like to point out that in the nearby vicinity, at a distance of several metres from the tunnel, there is a water cistern still in use, which may be leaking and might have altered the rate of humidity of the subsoil in the region. According to the Municipality Report, it appears that there is slow and yet unrestrained development of cracks. This shows that the factor involved is apparently the constant change in the mechanical properties of the soil, due to changes in the moisture at this site. At this stage, there does not appear to be any danger of damage. However, crack development must be followed up and the results compared to the previous ones. As soon as there

is any evidence of accelerated crack development, immediate strengthening of the substructure in this area should be carried out.

Summary

The deteriorated condition of several structures in the Moslem Quarter may be attributed mainly to the following phenomena:

1. The non-homogeneous humidity regime of the substructure. Until redistribution of the load on the subsoil is achieved, differential settling is predictable.
2. Earthquakes which have taken place in this region and weakened the structures.
3. Lack of proper maintenance, and erosion with time.
4. Apart from local settling of the steps in the Waqf building, I see no connection between the excavation of the tunnel and damages in the Moslem Quarter.

Sincerely,

J. Gluck

cc: Engineer N. Kidron
54 Street of the Prophets, Jerusalem

תיק ירח אינסקל

MINISTRY FOR FOREIGN AFFAIRS
JERUSALEM, ISRAEL

משרד החוץ
ירושלים

ה' בניסן התשמ"ה
30 במרס 1985

שמור

6.111 אלוסן

אל : המנכ"ל

מאת: י. ורד, יועצת לשה"ח

בקור פרופ' למייר בירושלים 6-9.3.85
למכתב מנהל ארב"ל 3 מ-22.3

לסעיף 4 א': לאפשר לנציג הוקף לבקר במנהרה עם מלווה שלנו ומשקיף אמין (למייר:)
להלן הערותי:

1. זה יותר משנה שממשלת ירדן מהדקת את הפקוח על הוקף בשיטות שונות ומשונות שיבטיחו את מטרותיה המדיניות בראש ובראשונה כדי לכרסם ולפגוע בריבונות ישראל בירושלים.
מנהלי אדריכלי הוקף פועלים לפי הנחיות ותכתיבים פוליטיים מירדן ללעיתים גם מאש"ף, אין ספק שביקורם במנהרה ישמש מטרות פוליטיות של הממונים עליהם.

2. אין כל בטחון שהוקף אכן ישלח אדריכל, אפילו כן, עלול הוקף ולמייר להפעיל לאחר מכן לחץ לאפשר לאנשים נוספים מהוקף לבקר במקום.

3. אין לשכוח שבמנהרה ובחדרים שלצדה הוקטר בתי כנסת "מקדשי מעט". למייר איננו מדווח על כך, אך אנשי וקף לא רק ידווחו אלא גם ישתמשו בעובדה לניגוחנו בצורות שונות.

4. אין לשכוח שהמנהרה עוברת בשטח שבבעלות בעלי המבנים שמעליה, ועצם חפירתה היא בלתי חוקית.

5. עדיין יש לנו סימני שאלה בבעיות בטיחות של המבנים מעל המנהרה.
מתוך סבות אלו ואחרות נראה לי שלא ניתן לקבל את הצעתו של דבהט.
לדעתי זו שותפים גם גורמי הבטחון בעיר.

לב המנהרה אינה בגדר חפירה ארכיאולוגית, והיא נחפרה ללא רשיון כחוק של אגף העתיקות. משום כך הוגדרה כפעולת ניקוי ופינוי שפכים של משרד הדתות.
משרד זה שכר את שכותיו של מ. בן-דב כארכיאולוג ויש לפנות אליו בנושא מיפוי המצאי, אם ירצה - יעשה זאת, אך אין בידיו גורם בלשהו אמצעים לחייבו בכך.

לתת ללמייר לבקר כתנכוזיה: עד כה לא נתנו לגורם זר בכלל ולנציג מנכ"ל אונסקו בפרט, לבקר במבנים שנתפסו ע"י משרד הבטחון, להוציא אדריכל שעבד בביה"ס הבריטי הארכיאולוגי, וזאת לאחר שקבל בכתב תנאים מיוחדים, גם מצב המבנה הוא בכי רע, ואני חוששת שפרופ' למייר יתריע על כך בדוחו.

מס' 1
תאריך: [illegible]

מדר

אל: [illegible]
מאת: ר. [illegible], [illegible]

<u>הנדון: [illegible]</u>
[illegible]

[illegible]

1. [illegible]
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]
6. [illegible]

אי לכך אני מציעה להמתין עד לבקורו הבא בירושלים ולהחליט בהתאם לתנאים שיירוצרו עד אז.

ד. טקיף מה איכר ברור לי. ארדה על הבחרה . אני ממליצה על דיון בנושאים אלה וכן בבקשת למיר לאפשר למבנדס זר, מומחה לבטיחות לבקר במנחרה. (מכתב ד. בן-דב 243 מ-26.3).

ב ב ר כ ה

יעל ורד

ירושלים אוסף

מדינת ישראל

משרד החוץ
ירושלים

שמור

תאריך: ד' בניסן תשמ"ה
26/3/85

מספר: 211.11
מצמ×מ×
מכתב מס' 243

6.111 אלנסרא

אל: גב' יעל ורד, יועץ לשר החוץ

מאת: מנהל ארב"ל 3

הנדון: מומחה בינ"ל לבדיקת "אל מדרסה אל מנג'אקיה"

1. במכתבי למר מאיר שמיר מס' 219 מיום 17.3.85 עם העתק אליך התיחסתי (בסעיף 4) להצעות פרופסור ר. למייר בנושא הזמנת מומחה זה מקובל על שני הצדדים כדי לבדוק בנינים מוסלמים הנצבים מעל מינהרת הכותל.

2. הנני מצ"ב העתק מכתב מאת הפרופסור מיום 14.3.85 שהגיע זה עתה. במכתבו זה הוא חוזר על הצעה זו, אך מתיחס לבניין הנ"ל בלבד שהנו מושב מטה הוואקף ושעל הנזקים שנגרמו בו עמד הפרופסור בדוחו מיום 4.8.84 (סעיף 4).

3. הפרופסור מביע החשש שהעדר קבלת תשובה חיובית מעמנו ישמש עילה לחדוש המתקפה נגדנו במושב הבא של הועידה לאחר שהיא נחלשה משהו במושב ה-120. כן מביע הוא את נכונותו להלוות אישית למומחה כזה כדי להבטיח אמינות מיהמנות, ואוביקטיביות מלאות, אף כי אין לו כל ספק לגבי 5 המומחים הבינ"ל שהוא מציע.

4. לי נראה שאין מקום לדחות פנייתו על הסף ויש אולי מקום לשקול האפשרות של הזמנת מומחה כזה מכוח יוזמה של ממישראל או עיריית ירושלים או ועדת מומחים מטעמה וכולי (ראי מכתבך מ-4.10.84 למנכ"ל).

5. על דעת ראש אגף ארב"ל הנני מציע שתזמי דיון על נושא בהשתתפות המנכ"ל ואם אפשר בצמוד לדיון שהצענו בהשתתפותו במכתבי 335 מיום 24.3.85.

ב ב ר כ ה ,

דוד בן-דב

דוד בן-דב

העתק: המנכ"ל
ראש אגף ארב"ל

הקריה, רוממה ירושלים 91950 טלי 235111 (02)

RAYMOND M. LEMAIRE
PROFESSEUR À L'UNIVERSITÉ
DE LOUVAIN

Le 14 mars 1985

RL/MG/58

A Monsieur David Ben-Dov
Directeur de la Division des
Droits de l'Homme
Ministère des Affaires Etran
JERUSALEM

Cher Monsieur,

Je tiens tout d'abord à vous remercier pour l'accueil, chaleureux comme de coutume, qui m'a été réservé lors de mon séjour à Jérusalem la semaine dernière.

Je rédige en ce moment mon rapport au Directeur Général. En relisant mes notes ainsi que celles que j'ai prises lors de la dernière réunion du Conseil Exécutif je me rends mieux compte que lors de notre entretien de la nécessité d'une réponse au voeu du Conseil en ce qui concerne la désignation d'un expert international pour les problèmes de la Madrassa Al Mandjakiyye, seul point expressement repris dans la résolution adoptée par ce Conseil en rapport avec le problème de Jérusalem. Je crains fort que si aucune réponse n'était faite avant l'ouverture de la session prochaine ou si cette réponse n'était pas positive, ce fait ne soit l'occasion pour certaines délégations de reprendre des positions intransigeantes et par le fait même de modifier l'atmosphère plus conciliante qui s'est dégagée en octobre dernier. Décider si cette ambiance plus calme doit être préservée ou non est un problème de politique étrangère qui relève exclusivement du Gouvernement israélien; toutefois je crois utile d'attirer son attention sur ce point.

Vous m'avez dit que l'on craignait que cet expert n'émette des avis techniques teintés d'options politiques éventuelles. La partie adverse pourrait craindre la même chose. Un expert de grande réputation ne peut se permettre de telles fantaisies s'il veut conserver sa crédibilité internationale. Afin d'assurer une approche sereine du problème je vous ai dit que j'étais prêt à accompagner cet expert à Jérusalem et à l'assister dans son travail.

Je vous ai cité comme personnalités susceptibles d'accomplir cette tâche :

le Prof. N. Ambraseys de l'Impérial College à Londres, ou son premier assistant, M. Menu.

J'y ajouterai le Prof. Klaus Pieper, de l'Université technique de Braunschweig,

le Prof. Marc Lejeune, de l'Université de Louvain,

le Prof. Fritz Wenzel de l'Université de Karlsruhe,

et M. Paul Beckmann, directeur technique du bureau d'étude Ove Arup & Partners à Londres.

Afin d'éviter toute contestation ultérieure il est souhaitable que le choix de l'expert reçoive l'agréement du propriétaire du bâtiment, c.a.d. du Waqf. Je suis disposé à négocier cet accord si tel est le souhait des autorités israéliennes.

Il est évident que toutes ces démarches ne pourront être accomplies avant la prochaine réunion du Conseil. L'important est qu'elles soient annoncées et que la décision éventuelle du Gouvernement israélien soit annoncée au Directeur Général le plus vite possible et, en tous les cas, avant et non pendant la réunion du Conseil Exécutif. L'annonce de cette décision par le Directeur Général aura un effet plus profond que si elle était faite par le représentant d'Israël pendant la discussion au sujet de Jérusalem, prévue à l'agenda.

Croyez bien que cette lettre ne vise nullement à influencer de quelque manière que ce soit, les décisions qui seront prises. Elle a pour seul but d'attirer votre attention et celle du Gouvernement israélien sur un point qui pourrait avoir échappé à son attention.

En attendant le plaisir de vous revoir, sans doute à Paris à l'occasion du Conseil Exécutif, je vous prie de croire, Cher Monsieur, à l'expression de mes sentiments de haute considération er à mon cordial souvenir.

Prof. Dr. R.M. LEMAIRE.

ירה אונסקו

ד' בניסן התשמ"ה
26 במרס 1985

אל : מנהל ארב"ל 3

מאת: י. ורד, יועצת לשה"ח

111.6

כנס תרעדה להחזרת נכסי תרבות
אתונה 3-5.4.85

מכתבו של ר. דיוק מ-22.3.85 וההנחיות לנציגנו באתונה

בימים שכהנתי כשגרירת ישראל בארנסקו בדקתי בצורות שונות את האפשרות לנסות להחזיר חלק מהממצאים החשובים לכך מן המוסיאון של אסטנבול לישראל, בהיותי מודעת לחשיבותם העצומה בשבילנו.

מסקנותי היו, לצערי, כי לא ניתן לעשות דבר בנדון, גם הוים ברור לי שהתורכים לא יסכימו לכך בשום פנים ואופן, לא רק בשל יחסיהם עמנו בימים אלה, אלא גם בשל טענות שהערבים יעלו נגדם כי מדובר בנכסי תרבות פלסטינאים.

גם הטענה לפנות לאנשי מוסיאונים או לפרופסורים תורכים אין לה על מה לסמוך, שכן הללו הכם כולם עובדי מדינה המקבלים מטנה את שכרם.

אם יש סכוי כלשהו- ולדעתי גם הוא מועט - הרי זה באמצעות תורם אמריקני אשר יציע סכום ניכר לתורכים תמורת לוח זכרון וכתובת השילוה. עדיין איני רואה תורם כזה ואם ימצא נשאלת השאלה אם אכן למוצאים אלה עדיפות ראשונה.

ב ב ר כ ה

יעל ורד

ר-מ אופק!

שמור

ב' בניסן תשמ"ה
24/3/85

335
תיק מס' 211.11

Profile 111.6

אל: המנכ"ל

מאת: מנהל ארב"ל 3

הנדון: מינהרת הכותל - העיר העתיקה

1. מצ"ב 2 דוחות מיום 22.3.85 /17 על בקורו האחרון של פרופסור ריימונד למייר נציגו האישי של מנכ"ל אונסק"ו (6-9.3.85).

2. אבקש להסב שימת לב להמלצות במכתבי מיום 22.3.85 ובמיוחד להמלצה בסעיף 4 א' (בקור במינהרה).

3. על דעת ראש אגף ארב"ל היה מציע לערוך דיון עקרוני בהשתתפותך בהמלצת זו, גם לאור דברי האורח בנושא זה (סעיף 3 ב' במכתבי מיום 17.3.85).

ב ב ר כ ה ,

דוד בן-דב

העתק: מר פ. אליאב, ראש אגף ארב"ל
גב' י. ורד, יועץ לשה"ח

ר"מ אינסקי

שמור

כ"ט באדר תשמ"ה
22/3/85

233
211.11

אל: מר מאיר שמיר, הנציג הקבוע ליד אונסק"ו, פריס

מאת: מנהל ארב"ל 3

הנדון: בקור בפרופסור ריימונד למייר 6-9.3.85 (דווח מס' 2)
מכתבי מס' 219 מיום 17.3.85

1. במכתבי הנ"ל מסרתי לך דווח ראשון על שיחות שנהלנו עם האורח הנ"ל במהלך בקורו. הנני לשוב ולהתיחס לסעיף 2 בדווחי זה (מנדט השליחות) ולבקשך שתפעל גם מצידך לממוש הרעיון שהועלה בנושא זה כדי להבטיח שבקורו הבאים של פרופ' למייר יתבסס על המנדט הרצוי.

2. בנוסף לדווחי מיום 17/3 הנני מצ"ב דוח על הסיורים שערך האורח באתרים שונים בעיר המזרחית בעיקר בלוויו של הארכיולוג הראשי לאזור ירושלים, מר דן בהט, לחלק מן הסיורים הצטרפו אחרים לרבות מר יצחק גרברג מארב"ל 3 והח"מ.

3. עיקר ההתרשמויות בדוח המצ"ב מתבסס על דווחו של מר בהט תוך תוספות מטעם המלווים האחרים.

4. תוך זיקה לדו"ח המצ"ב מבואות בזאת 4 המלצות שהועלו ע"י מר בהט ואשר נתמכות ע"י חברים אחרים:-

א. לאפשר לנציג מוסמך של הוואקף (אולי הארכיטקט איסאם אוואד) לבקר במינהרה בלווי צמוד משלנו ובחברת משקיף אמין כפרופסור למייר (ראה סעיף 3 במכתבי מיום 17/3).

הערה: נמסר לנו שבפגישה אישית עם ראש העיר ב-8/3 העלה האורח בפניו הצעה כזאת אשר לא נדחתה על הסף.

ב. לדאוג לדוקומנטציה מדעית מושלמת של המצאי במינהרה (סעיף 2 ג' ברוח ממצ"ב)

ג. לאפשר לפרופסור למייר לבקר בבנין התנקיזיה (סעיף 3 בדו"ח המצ"ב).

ד. לנסות להתור להפסקת שני לוויים נפרדים בסיורו הבאים

5. בנפרד כמה דווחים קצרים משלימים.

ב ב ר כ ה ,

דוד בן-דב

העתק: מר פנחס אליאב, ראש אגף ארב"ל
גב' יעל ורד, יועץ לשה"ח
מנהל לשכת המנכ"ל

ארב"ל 3

שמור

ירושלים 22/3/85
מכתב מס' 335

דו"ח על סיור פרופסור ריימונד מ. למייר, נציגנו האישי של מנכ"ל אונסק"ו, בירושלים המזרחית 6-8.3.85

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1. רחבת הר הבית - 6.3.85 -

א. מר דן בהט הארכיולוג הראשי לאזור ירושלים העלה בפני האורח את חששותינו מפני מגמה המסתמנת בפעילויות השלטונות המוסלמיים שמגמתה הינה להעלים את השרידים ההסטוריים היהודיים מתקופת הבית השני. מגמה זו באה לכלל ביטוי, בין היתר, בכסוי עפרי של השרידים הנ"ל ברחבה שמצפון למסגד "כיפת הסלע"; בסתימת בורות במתחם זה; ובפעולות העלמה לגבי השער הכפול (מתחת למסגד "אל אקצה") והשער המשולש מימי בית שני (הנמצא ממזרח למסגד).

ב. במענה לבקשת מר בהט לערוך בדיקה יסודית בשער הכפול, מסר האורח שלא מצא כל שינוי (לרעה מבחינתו).
לידיעתך - הערכתנו היא שתוך כדי פעולות תימנון יסודות "אל-אקצה", יצקה הרשות המוסלמית שכבות בטון שהיה בהן כדי להעלים שרידים יהודיים. נראה שלא ניתן לאורח לצפות בחלק זה של המקום.

ג. תשובתו הכללית של פרופסור למייר לגבי חששותינו הנ"ל הסתמכה אף היא על חששות והפעם על אלה של הצד השני. לדבריו הם מתחדדים בגלל אי הבהירות לגבי ההתרחשויות (המסתוריות) במנהרת הכותל המערבי המערבית "חרדה" שמא נועדו הן להכנת פריצת פתע מתוכה לתוך מתחם הר הבית כדי, ביום מן הימים, להשתלט עליו כליל. כל עוד לא בוצע בקור מהנדס מטעם הוואקף בלנוי משקיף מהימן - טוען האורח - קשה יהיה להפיג חששות מוסלמים אלה (ראה נא סעיף 3 ב' במכתבי מס' 219 מיום 17.3.85).

2. המינהרה - 6.3.85

א. הבקור במינהרה הוכיח לאורח, מעל כל ספק, שמאז בקורו הקודם ב-21-27.7.84 לא נתבצעו בה שום חפירות. כן נתברר לו שהחיזוקים בתוכה, שעליהם המליץ בדוחו האחרון מיום 4.8.84, אמנם בוצעו על פי בקשתו.

ב. הוסבר לו שנערך מעקב קבוע כדי לבדוק אם חלילה יבעו סדקים נוספים בקשתות גג המינהרה וכדי לודא שיפוצם המיידי אם יהיה בכך צורך.

2/..

ג. פרופסור למייר חזר על דברי הבקורת שהשמיע בדוחו"ת קודמים לרבות בדוחו האחרון (עמ' 11 במסמך 120/אכס/14 מיום 27.8.84):-

" IT IS REGRETTABLE THAT THE TUNNELLING..... HAS NOT BEEN MONITORED BY AN EXPERIENCED ARCHAOLGIST"

כידוע לא קוימה הבטחתנו, שנתמכה ע"י ארכיולוגים ישראליים, לערוך דוקומנט-ציה של החפירות הללו ע"פ הכללים המדעיים המקובלים. יש להניח שמלות בקורת בנושא זה תחזורנה ותופענה גם בדוח הבא לקראת המו"ב ה-121 של הועה"ם.

3. תנקיזיה (מחכמה) - 6.3.85

א. זהו הבנין הנמצא מצפון לכותל המערבי (ממש ליד פנתו השמאלית כאשר נצבים ממולו קומתו השניה מוחזקת בידי צה"ל. זהו בנין בעל חשיבות הסטורית.

ב. פרופסור למייר בקש רשות לבקר בו . הרשות לא נתנה.

ג. מר בהט מזכיר שלא מכבר הותר לנציגי בית הספר הבריטי לארכיולוגיה שבירושלים המזרחית לערוך סקר מלא בבנין זה (על גישתו של ביה"ס זה כלפינו אין צורך להרחיב הדבור).

ד. מר בהט ממליץ לאפשר לאורח בקור בבנין בסיורו הבא.

4. בנין ה- AL - JAWHARIYYA - 6.3.85

א. בדו"ח האחרון של פרופסור למייר מיום 4.8.84 מופיעה בסעיף 7 התיחסות מפורטת לבנין זה המשמש כיום בנין משרדים לארכיטקטים מוסלמים העוסקים בשיחזור בנינים ממלוכים בעיר העתיקה.
ההתיחסות בדו"ח הנ"ל אינה כזכור חיובית (שחזור ישראלי בלתי מקצועי שגרר נזקים לפנים הבנין בעיקר בכלל שמוש לא נכון בתערובות בטון בלתי מתאימות).

ב. מר בהט מוסר שלא הותר לאורח לבקר בבנין זה עפ"י הנחיות שקבל.

ג. כן מציין הוא שלפני חודשים מספר הוא בקר בבנין בלווי כמה מעובדי המחלקה לבנינים מסוכנים של עיריית ירושלים. נתברר שיציבות הבנין כולו הינה אמנם איתנה, אך החזוקים השחזוריים הנזכרים לעיל אינם תקינים (ובכך צודק פרופסור למייר בבקורתו הנ"ל).

ד. מאידך מציין מר בהט שהוא פנה, באורח בלתי רשמי, אל מהנדסי הוואקף בבקשה להמציא לו את רשימת השפוצים שלדעתם יש לבצע כדי להחזיר את הבנין לצורתו האוטנתית הקודמת. עד היום לא קבל תשובה על פנייה זו.
לידיעתך : קיימים גורמים ישראליים שהיו מוכנים לסייע כספית במבצע זה.

5. AL - MADRASA AL KILANIYA - 6.3.85

ההתיחסות לבנין זה, המשמש בנין מגורים למהנדסי הוואקף, מופיעה בסעיף 11 של הדו"ח הדו"ח הנ"ל. האורח שבח את עבודות השחזור בבנין זה (אתר ממלוכי) שבצעו המהנדסים המוסלמיים וציין במיוחד את השיטה הנכונה של המילוט שבה הם משתמשים (תערובת נכונה של מלט יסוד).

הערה: בדוחות פרופסור למייר מופיעות מלות ביקורת לגבי שיטת המילוט הישראלית בצרוף המלצות לשפורה (עפ"י הדגם המוסלמי) . מר בהט סבור שיש לפעול עפ"י המלצותיו אלו.

6. עיר דוד — 6.3.85

א. בשל שקולים שונים לא הוסדר בקור באתר זה. (עבודות השחזור עדיין בעיצומן והמראה כרגע אינו מלבב. הדים למצב זה מופיעים אמנם בדו"ח הקודם).

ב. כתחליף נערך לאורח בקור בדגם האתר המשופץ של עיר דוד במשרדו של הארכיטקט נחום מלצר. הוסברו לו התלבטויותינו לגבי עבודות השפוץ והשחזור המתוכננות וכן השקולים העומדים ביסוד התוכניות להקמת קירות תמך ועזרים אחרים.
האורח הגיב בהבנה ובהערכה כלפי מערכת השקולים הללו והתרשם מאישיותו של הארכיטקט הישראלי הנ"ל.

7. המצודה — 8.3.85

א. ראה סעיף 8 בדוח הקודם שבו כמה הסתיגויות כלפי העבודות במקום. הבקור הפעם עמד בסימן דיון שהגיע לפסגות של תחכום מדעי. נראה שהאורח התפעל מכמה מן העבודות שבוצעו באחרונה אך הביע הסתיגות (כבעבר) כלפי עודף הבניה החדשה במקום ובהצגה מופרזת של האתרים השונים.

ב. הוא הציע כמה הצעות מקצועיות לשפור המצב אשר לדעת מלוויו נראו לגיטימיות. עם זאת קשה לקבוע החלטות כיצד ניתן לפתור הבעיות שהעלה.

8. שמוש פוליטי פסול במתחם הר הבית

בעת הסיור ברחבה שממזרח כיפת הסלע השמיעו מר בהט והמלווים הישראלים ביקורת חריפה על הצעד הפרוקטיבי שננקט ע"י הרשות המוסלמית בהקמת מצבה לזכר הרוגי סברה ושתילה. זהו צעד פוליטי מתגרה שאין בו כל הצדקה הפוגע ברגשות רבים.

דוד בן-דב

ר-מ
אונסק

AMBASSADE D'ISRAEL שגרירות ישראל AMBASSADE VAN ISRAEL

בריסל, כ"ו אדר תשמ"ה
19 מארס 1985

III.6 אונסק

א ל : מנהל ארבל 3

הנדון: פרופ' למר

לאחר בואי לבריסל נסיתי להיפגש עם פרופ' למר, אך הוא היה פרוף מדי אז בעדר מבריסל.

ביום שישי שעבר (15), התקשר אתי טלפונית וביקשני להעביר לך את המכתב הרצ"ב באופן דחוף. ביקשתיו שידאג שהמכתב יגיע אלי עד יום ב' בבקר (17) כדי שאספיק לשלוח אותו בדיפ. אך הוא הגיע לשגרירות לאחר צאת הדיפ.

הואיל והוא עמד שוב להיעדר מבלגיה, ואני עומד להגיע ארצה, קבענו להיפגש אחרי חג הפסח.

לידיעה,

ב ב ר כ ה ,

יוסף הדס
שגריר

העתק:
- גבי יעל ורד, יועצת לשר

RAYMOND M. LEMAIRE
PROFESSEUR À L'UNIVERSITÉ
DE LOUVAIN

Le 14 mars 1985

RL/MG/58

A Monsieur David Ben-Dov
Directeur de la Division des
Droits de l'Homme
Ministère des Affaires Etrangères
JERUSALEM

Cher Monsieur,

Je tiens tout d'abord à vous remercier pour l'accueil, chaleureux comme de coutume, qui m'a été réservé lors de mon séjour à Jérusalem la semaine dernière.

Je rédige en ce moment mon rapport au Directeur Général. En relisant mes notes ainsi que celles que j'ai prises lors de la dernière réunion du Conseil Exécutif je me rends mieux compte que lors de notre entretien de la nécessité d'une réponse au voeu du Conseil en ce qui concerne la désignation d'un expert international pour les problèmes de la Madrassa Al Mandjakiyye, seul point expressement repris dans la résolution adoptée par ce Conseil en rapport avec le problème de Jérusalem.
Je crains fort que si aucune réponse n'était faite avant l'ouverture de la session prochaine ou si cette réponse n'était pas positive, ce fait ne soit l'occasion pour certaines délégations de reprendre des positions intransigeantes et par le fait même de modifier l'atmosphère plus conciliante qui s'est dégagée en octobre dernier. Décider si cette ambiance plus calme doit être préservée ou non est un problème de politique étrangère qui relève exclusivement du Gouvernement israélien; toutefois je crois utile d'attirer son attention sur ce point.

Vous m'avez dit que l'on craignait que cet expert n'émette des avis techniques teintés d'options politiques éventuelles. La partie adverse pourrait craindre la même chose. Un expert de grande réputation ne peut se permettre de telles fantaisies s'il veut conserver sa crédibilité internationale. Afin d'assurer une approche sereine du problème je vous ai dit que j'étais prêt à accompagner cet expert à Jérusalem et à l'assister dans son travail.

Je vous ai cité comme personnalités susceptibles d'accomplir cette tâche :

le Prof. N. Ambraseys de l'Impérial College à Londres, ou son premier assistant, M. Menu.

J'y ajouterai le Prof. Klaus Pieper, de l'Université technique de Braunschweig,

le Prof. Marc Lejeune, de l'Université de Louvain,

le Prof. Fritz Wenzel de l'Université de Karlsruhe,

et M. Paul Beckmann, directeur technique du bureau d'étude Ove Arup & Partners à Londres.

Afin d'éviter toute contestation ultérieure il est souhaitable que le choix de l'expert reçoive l'agréement du propriétaire du bâtiment, c.a.d. du Waqf. Je suis disposé à négocier cet accord si tel est le souhait des autorités israéliennes.

Il est évident que toutes ces démarches ne pourront être accomplies avant la prochaine réunion du Conseil. L'important est qu'elles soient annoncées et que la décision éventuelle du Gouvernement israélien soit annoncée au Directeur Général le plus vite possible et, en tous les cas, avant et non pendant la réunion du Conseil Exécutif. L'annonce de cette décision par le Directeur Général aura un effet plus profond que si elle était faite par le représentant d'Israél pendant la discussion au sujet de Jérusalem, prévue à l'agenda.

Croyez bien que cette lettre ne vise nullement à influencer, de quelque manière que ce soit, les dècisions qui seront prises. Elle a pour seul but d'attirer votre attention et celle du Gouvernement israélien sur un point qui pourrait avoir échappé à son attention.

En attendant le plaisir de vous revoir, sans doute à Paris à l'occasion du Conseil Exécutif, je vous prie de croire, Cher Monsieur, à l'expression de mes sentiments de haute considération er à mon cordial souvenir.

Prof. Dr. R.M. LEMAIRE.

מדינת ישראל

משרד החוץ
ירושלים

שמור

תאריך: כ"ג באדר תשמ"ה
17/3/85

מספר: תיק מס' 211.11
219

6.111 אלנסקו

אל: מר מאיר שמיר, הנציג הקבוע ליד אונסק"ו, פריס

מאת: מנהל ארב"ל 3

הנדון: בקור פרופסור ריימונד מ. למייר 6-9.3.85
מברקי מס' 322 מ-11.3.85

1. הקדמה

כפי שציינתי במברקי הנ"ל הוכתר הסיור הנ"ל, ע"פ מיטב התרשמותנו, בהצלחה (אני אישית חש שהתחזקו קשרי עם הנ"ל). כללית נראה שהאורח התרשם מכמה וכמה שפורים שחלו מאז בקורו האחרון אף כי הבחין בכמה חידושים שלא הוכנהו במיוחד, כגון, בנינים חדשים ממערב ומעל רחבת הכותל. נדמה שדוחו יהא בס"ה חיובי בדומה לדוחו מיום 4.8.84, אף כי יכללו בו, אל נכון, כמה הערות בקורתיות.

2. מנדט השליחות

בשיחה שנוהלה עמו ב-6.3.85 העלה בפניו מר פנחס אליאב את הרעיון ששליחותיו בעתיד תתבססנה על הזמנה אדיבה מטעם ממישראל שלא יהא בה כדי להצר צעדיו או לפגוע במרווח פעילותו המקצועית-מדעית. הכוונה הנה כמובן להפסיק, אחת ולתמיד, בצוע שליחויות אלו על בסיס החלטות עוינות המוגשות ומקבלות תוקף מכוח מכבש של רוב משוחד שכל מעניניו לפגוע בישראל ושאינו פועל מתוך מוטיביציה של דאגה כנה למקומות קדושים ולאתרים הסטוריים. האורח לא הסתייג מרעיון זה ואף הבטיח לבדוק סכויי ממושו.

3. היחסים עם השלטונות המוסלמים בירושלים

א. פרופסור למיר חזר והדגיש בשיחה אישית עמי (7.3.85) שהוא מבחין בניצנים גדלים והולכים של גישה ראליסטית ומפוכחת מצד שלטונות הווקף (וגם מצד כמה ממשלות ערב) כלפי מעמד ישראל בירושלים וכלפי פעולותיה בה. והוא אפילו רמז שהוא פועל, בשקט ובצינעה מאחורי הקלעים, לגישור גשרים בין שני הצדדים (דומני שהוא אף עשה מאמצים להביא לידי מפגש בין דן בהט ולבין מר אונאד הארכיטקט הקבוע של ועדת שיחזור אל אקצה, שעדיין לא נפגשו).

ב. בנסותו להסביר את שורש עמדתם המסוייגת של שלטונות הווקף, הרחיב את הדבור על הפחדים והחששות הרווחים בקרבם נוכח פעולות משרד הדתות במינהרה שליד רחבת הכותל. הדמיון המזרחי, המופרה ע"י פנטסיה מאולצת, מולידים תילי תילים של השערות מוגזמות המעבירות לדבריו חיל ורעדה בעצמותיהם של נציגי הוואקף.

2/..

הקריה, רוממה ירושלים 91950 טלי (02) 235111

על כן הוא חוזר וממליץ שנציג או שניים כנ"ל יוזמנו לבקור קצר במינהדה מאחר שרק בדרך זו ניתן לעקור מן השורש, אחת ולתמיד, את החשדות המופרזות לגבי "מעללי" שלטונות ישראל המתרחשים באורח מסתורי מתחת לבנינים המוסלמים שמעל. הוא משוכנע שבקור כזה יתרום תרומה מכרעת לסלוק חששות, ליצירת הרמוניה ולהפסקת מסע לחשושים והאשמות.

4. נזקים לבנינים מוסלמיים

פרופסור למייר חוזר בתוקף על הצעתו להזמין מומחה זר שיהא מקובל על שני הצדדים כדי שיוכח במו עיניו שאין נשקפת סכנה ליציבות הבנינים המוסלמים שמעל המינהדה. אם לנו חששות בדבר אובייקטיביות דוגחו, הרי הוא, פרופסור למייר, מוכן להתלוות אליו אישית, להצמד לפעולת בדיקתו ולהבטיח בכך שדוגחו יהא אמנם אובייקטיבי וללא פניות חצד צדדיות..

כזכור הוא הציע לנו במושב ה-120 של הועה"פ של אונסק"ו (3.10.84) להזמין את פרופסור הבריטי בעל השם העולמי פרופסור NICHOLAS AMBRASEYS (מבריקנו המשותף מס' 23 מיום 1.10.84) אך אין הוא עומד על הצעה זו. הוא משוכנע שבדיקת מומחה, ולו המיהמן ביותר, מן הטכניון לא תסלק חשדנות וספקות.

הוא ספר לי, בהקשר זה, ששרים בקהילה האירופית הושפעו מן הידיעות על "התפתחויות מסתוריות" במינהדה ושאר החוץ הבלגי הקודם הביע באזניו בשיחה אישית תמיהה על פעילותה המשונה והתמוהה של שלטונות ישראל בעבה האדמה מתחת לבנינים קדושים לאיסלם.

5. עמדת ירדן

בתגובה לדוגחו על התמתנות עמדת ממירדן, מסרתי לו את המסמכים באנגלית שצורפו לחוזר גב' יעל ורד מיום 5.3.85 על התבטאויות נציגים ירדנים לגבי ירושלים. אשלח אליו גם תרגום תמצית המסמכים בעברית שצורפו לחוזר הנ"ל. הוא ציין שיקרא אותם בעיון ואף יעלה תוכנם בפני הנוגעים בדבר, אך ציין שלמיטב ידיעתו גער הנסיך חסאן בפאיז ג'אבר, מזכ"ל הועדה הלבנונית לענייני ירושלים, על התבטאויותיו הנ"ל. פרופ' למייר סבור שהנסיך מעורנין לקדם ענינים ולא להסתבך בהשמצות. בהקשר זה ציין כי גם בארצות ערביות אחרות (סעודיה טוניסיה) גילה התפכחות ראליסטית לגבי ישראל בכלל וירושלים בפרט והזכיר בין היתר את מזכ"ל הליגה הערבית הטוניסי.

6. איקומוס

בפגישה בראשות פרופסור אברהם בירן ב-8.3.85 היתה השתתפות נאה ופרופסור למייר הסביר בפרוטרט את פעולות הארגון ואת חשיבות יצוגה של ישראל בהן. יש רק לקוות שדבריו יתרמו ליותר הבנה בפעולות הסניף הישראלי. דו"ח מפורט ישלח בנפרד.

3/..

7. עתיד אונסק"ו

גם פרופסור למייר מודאג מן ההתפתחויות בארגון אף כי הנו סבור שהוא יתגבר על קשייו. לדעתו משגה הוא לנהל מערכה תעמולתית נגד המנכ"ל באשר הוא נהנה מתמיכת רוב של נציגים מהעולם השלישי. כן סבור הוא שמעצמות המערב שגו לא פעם בגישתן לארצות העולם השלישי באונסק"ו ומחוצה לו.

8. פגישות עם ראש העיר ואישים אחרים

בנפרד ישלחו אליך דו"חים על שתי הפגישות שערך האורח עם ראש העיר, על הסיור והשיחות שניהל עם מר דן בהט ועם מארחיו האחרים.

9. סכום

יש להניח שפרופסור למייר יתקשר עמך בקרוב ונצפה לשמוע את התרשמויותיך אתה.

בברכה,

דוד בן-דב

דוד בן-דב

העתק: מר פנחס אליאב, ראש אגף ארב"ל
גב' יעל נרד, יועץ לשה"ח
לשכת המנכ"ל

ט.111 אנסקו

י"ז באדר התשמ"ה
17 מרס 1985

אל : מר מ. שטיר, הנציג לאונסקו. פריס
מאת: י. ורד, יועצת לשה"ח

<u>מחקר על השקעות בשמור אתרי תרבות</u>
מכתבך מ-13.3

אכן שוחחתי עם להטיר בנושא זה והוא הבטיח לשלוח לי את המחקר עם הופעתו בידיני הבא עלינו לטובה.

ברכות

יעל ורד

י"ם אונסקו

AMBASSADE D'ISRAËL

שגרירות ישראל

פאריס, כ' אדר תשמ"ה

13 מרץ 1985

אל: גב' יעל ורד, יועצת לשה"ח.

מאת: הנציג הקבוע ליד אונסקו.

111.6 אונסקו

הנדון: מחקר על השקעות בשמור ובשקום אתרי תקבות.

מכתבך 3.2.85.

בדעתי היה לשאול את השאלות שהעלת במכתבך הנ"ל בפגישתי עם פרופ' להמיר לקראת נסיעתו ארצה.

בינתיים הודיע לי שנבצר ממנו לעבור בפאריס, אבל מתוך המברק שקיבלתי בעקבות ביקורו בארץ אני למד שנפגשת איתו ובודאי היתה לך הזדמנות לנגוע בנושאים המעניינים אותך.

אם תראי צורך בכך, ברצון אמשיך את השיחה עם להמיר בביקורו הבא כאן.

במיטב הברכות,

מאיר שמיר.

3, RUE RABELAIS - 75008 PARIS - TÉL. 256.47.47

משרד החוץ-מחלקת הקשר

822 שמור יוצא
** **
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אל: פרים, נר: 624, מ : המשרד
דח: ר, סג: ש, תא: 250285, רח: 1500

6.111 אלעסקו

שמור/דגיל

שמיר

ביקור למיר

1. תכנית הביקור (6-10.3) כוללת בין היתר סיורים בהר הבית ובמנהרת הכותל, במצודה באתרים בעיר העתיקה ובדגם שפוצר עיר דוד.
2. יקוימו פגישות עם ראש העיר, דן בהם, פנחס אליאב, יעל ורד, דוד בן דב, יצחק שקובי, אבי איתן, ושרה "איקומוס" ועוד.
3. 1-3.9 סיור ארכיאולוגי בצפון בהדרכת פרופ' בירו או לחילופין ביקור במוזיאון ישראל המחודש.

4. עשוים לחול שנויים אם יבקשם. אם ידוע לך על כך - אנא הודיענו.
ארבל 3=

תפ: אליאב, ארבל3, ורד, שחים, מתאמשחים

כ"ז בשבט התשמ"ה
18 בפברואר 1985

אל: מר ז. בן-דב, מנהל ארב"ל 3

מאת: י. ורד - יועצת לשת"ח

111.6

<u>האמנה להגנת נכסי תרבות בעת סכסוך מזוין</u>
מכתבך 183 מ-15.2.85

כנזכרתה מאז נכנסה האמנה לתוקפה הפיצה מזכירות אונסקו ב-1982, או ב-1983 חוזר לכל המדינות החתומות על האמנה ובקשה מהן להגיש דו"ח, כמתחייב מן האמנה, העברתי את המכתב לארב"ל 3 ובקשתי להכין דו"ח. לצערי הרב, הדו"ח לא הוכן ולא הוגש. כתוצאה מכך עלי לציין, שזה שנים שאין דיווח ישראלי בדו"ח על אמנת האג, לערות העובדה שהישגינו בשטח מצויינים. העובדה שירדן מדווחת עלולה ליצור רושם שירושלים היא אכן ירדנית.

אין לי ספק שרצוי ביותר שכאשר נקבל את חוזר המזכירות לקראת הדו"ח הבא - נשיב עליו בפרוט.

ב ב ר כ ה

יעל ורד

העתק: מר פ. אליאב, ראש אגף ארב"ל
מר מ. שלמד, נציג המשרד לשטחים

ירושלים אונסק"ו
~~תרבות ולפסיקה~~

מדינת ישראל

משרד החוץ
ירושלים

סודי

תאריך: כ"ה בשבט תשמ"ה
15/2/85

מספר: 183
תיק מס' 211.9
211.10

אל: גב' יעל ורד, יועץ לשר החוץ

מאת: מנהל ארב"ל 3

6.11 אונס דו

הנדון: THE CONVENTION FOR THE PROTECTION OF COLTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT - 1954

1. זה עתה נתקבל הדו"ח לשנת 1984 לגבי יישום האמנה הנ"ל שנחתמה בהאג ב-1954 (האמנה מחייבת פרסום דו"ח לפחות אחת ל-4 שנים) המסמך מביא דוחות מטעם 24 מדינות (לרבות איראן, ירדן כווית, ערב הסעודית וסוריה). אגב עד 31.3.84 הופקדו בידי מנכ"ל הארגון אשרורים או אשורי הצטרפות מטעם 71 מדינות. לפי הרשום הפקידה ישראל את מסמך אשרור האמנה הנ"ל 3.10.57 .

2. הנני מצ"ב את הדוח שהומצא ע"י ירדן המדגיש את הצלחתה להוסיף "לרשימת מורשת העולם" (אתרים בסכנה) את חומות העיר העתיקה של ירושלים ומציין שהיא מבקשת להוסיף אתרים נוספים

3. בבולטין האינפורמציה של "מורשת התרבות של העולם " מס' 21-22 היוצא מטעם אונסק"ו קיימת רשימה של 136 מקומות הכלולים ברשימת המורשת העולמית בתאריך 17.12.82. בין הרשומים הללו העיר העתיקה של ירושלים וחומותיה ליד השם ירדן (כזכור הצליחה ירדן לרשום רשום זה על שמה ב-1980-1981).

4. בהקשר זה אזכיר שלפי ידיעות חסויות שנתקבלו באוקטובר 1984 שקלה ממירדן להגיש חומר על הצורך לרשום את חברון כעיר הנתונה בסכנה. הכוונה היתה אולי להגישו לועדה למורשת העולם שהתכנסה בבואנוס איירס ב-29.10-2.11.84 מאחר שכזכור לא חתמנו על ה- CONVENTION OF THE PROTECTION OF THE WOLD CULTURAL AND NATURAL HERITAGE שנתקבלה בועידה הכללית של אונסק"ו ב-16.11.72 בקשנו את איש שגרירותנו בבואנוס-איירס לעקוב אחר הדיונים כמשקיף מן הצד . הוא דווח (5.11.84) שלא הועלה שום נושא הנוגע לישראל (אחד מסעיפי המושב היה שמירה על אתרים המופיעים ברשימה הנ"ל).

5. אולי כדאי לשקול אם לא היה זה מן הרצוי שישראל תדווח על פעילותיה הכרוכות לקראת הדו"ח הבא לפי אמנת 1954.

העתק: מר פנחס אליאב, ראש אגף ארב"ל
מר משה מלמד, נציג המשרד לשטחים

ב ב ר כ ה
דוד בן-דב

הקריה, רוממה ~~ירושלים עיר~~ טל' 235111 (02)
ירושלים 91 950

מדף 1041

V. Repair of museum exhibits at the Archaeological Centre

The laboratory of the Archaeological Centre of Iran has been made responsible for repairing and safeguarding priceless objects unearthed during archaeological excavations, also the items kept at the Iran-e-Bostan Museum. This laboratory co-operates with other museums.

Below is a brief account of the work carried out by the laboratory:

A bronze statue dating from the Seleucid period, which was in an advanced state of decay, has been repaired.

A second millennium B. C. amphora from the Iran-e-Bostan Museum, previously in pieces, gummed together with sticky paper, has been restored at the laboratory.

An oil painting (404 x 196 cm) dating from the Qajar Dynasty, kept at the Army Museum, has been repaired. The backing of the painting had deteriorated and was torn in several places. The canvas was lined, the backing, which was covered with a black film, was cleaned, the tears were repaired and the colours were restored and brightened.

JORDAN

The Jordanian Government has recently succeeded in obtaining the addition of the Old City of Jerusalem and its walls to the World Heritage List and has submitted applications for the addition to that List of the remaining historical sites of Jordan, particularly Jerash and Petra. The Department is in the process of posting special identification plaques as per the model suggested by Unesco, at all historic sites and buildings and museums.

KUWAIT

It pleases us to state that no armed conflict has occurred in Kuwait since Kuwait ratified the Convention.

With regard to immovable cultural property such as the gates of the Old Kuwaiti Wall, the Red Palace at Al-Jahra and other archaeological sites on Faylakah Island, the Department of Archaeology has assigned permanent guards to such sites.

As regards measures to be taken for the protection of cultural property, we have to state that in accordance with the Kuwaiti Archaeology Law, following the issuance of Amiri Decree No. 11 in 1960 and as defined in Article 16 of the said law, it is stipulated that the Department of Archaeology and Museums, together with the Security Authority, have to take every possible measure to safeguard ancient monuments, historical buildings and other cultural property as foreseen in the International Convention for the Protection of Cultural Property in the Event of Armed Conflict.

With regard to the implementation of the protocol dealing with the import and export of cultural property, the Kuwaiti Law has dealt with this issue in Section 5, Articles 35 to 41. The law states that the Department of Archaeology and Museums has the authority to control the import and export of such items, in order to prevent their loss from the Kuwaiti territory.

Traders in antiques should obtain a special licenc for their trade. All antiquities traded in should be registered and have a sales permit.

The Department of Archaeology has the right to sanction or refuse a licence to export antiquities, and also has authority to issue instructions to customs and port officials to confiscate any antiquities not licensed to be exported. This Kuwaiti law of archaeology is in conformity with all similar laws enforced in other Arab States. It is also in accordance with the proposed law of archaeology, adopted by the Third Arab Conference on Archaeology, which took place in Fez, Morocco, from 8 to 18 November 1956. It is also in agreement with the provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, which was adopted in The Hague on 14 May 1954.

The Kuwaiti Archaeology Law stipulates that the Security Authority has to lend assistance to the Department of Archaeology and Museums and help in safeguarding the archaeological sites and monuments in the event of armed conflict as well as in peacetime, in compliance with the text of the said International Convention.

The following are places of historical importance in Kuwait:

1. The gates of the Old Kuwaiti Wall which were built in 1920.
2. The Red Palace in Al-Jahra which was built at the beginning of the present century.
3. Immovable ancient items on Faylakah Island which include the prehistoric ruins of a temple that goes back to the ancient Greek age (Hellenic era) and the Bronze age.
4. Movable ancient monuments which go back to the Bronze and Greek (Hellenic) age in addition to traditional folklore items.

LIECHTENSTEIN

The text of the Convention has been published in the official compendium of the laws and treaties of Liechtenstein.

There is no military service in Liechtenstein.

The Liechtenstein Commission for the Protection of Cultural Property has decided to mark cultural property with protection signs. Cultural property of particular importance (e. g. the Château de Vaduz, the National Museum) will have the distinctive emblem of the Convention marked on them.

The inventory of Liechtenstein's cultural property has been drawn up.

It is intended to build special premises for the protection of movable cultural property. There are already protective rooms in the National Museum and the Château de Vaduz.

No decision has yet been taken on the question of whether parts of some communes should be formally declared regions of cultural protection.

משרד החוץ

לגב' רות ורד יולה
ירשלים

בברכה

מאת

משרד החוץ

15.2.86

I invite all children and all young people, those of the Yemen Arab Republic and neighbouring countries in particular, to contribute to the task of safeguarding what can now be regarded as part of the heritage of all mankind, to collect money by a wide variety of means, to organize competitions, and to participate in all activities that may help to strengthen national and international action on behalf of Sana'a.

Unesco, which in the past has launched many appeals for the preservation of significant monuments in all parts of the world, can take pride in having contributed—thanks to international solidarity—to the execution in Nubia of the largest archaeological rescue operation of all time, and subsequently to the restoration of one of the world's loveliest monuments to human spirituality, namely Borobudur in Indonesia. Unesco is continuing its efforts on behalf of the safeguarding of Venice in Italy, Sukhothai in Thailand, Fez in Morocco, which is one of the most striking Islamic capitals, and many other ancient cities as well.

I hope, once again, that all those who are concerned for the preservation of the cultural heritage of mankind will contribute, according to their means, to the international campaign for the safeguarding of Sana'a, so that this city will be able to preserve, for the benefit of generations yet unborn, its historic treasures and its bewitching charm.

A.M.M' Bow

Amadou-Mahtar M'Bow

Sana'a, 19 December 1984

Appeal by Mr Amadou-Mahtar M'Bow, Director-General of Unesco,

ON BEHALF OF THE INTERNATIONAL CAMPAIGN TO SAFEGUARD THE CITY OF SANA'A

ON BEHALF OF THE INTERNATIONAL CAMPAIGN TO SAFEGUARD THE CITY OF SANA'A

'Only Sana'a can be the journey's end, however long the way and regardless of the condition of the traveller's riding-beast.'

Thus does an ancient line of poetry urge us to discover the proud city that stands in the heart of a great mountain range: Sana'a, the prestigious capital of 'Arabia Felix' and one of the oldest cities in the world. Legend holds, in fact, that it was founded by Ham, son of Noah.

Sana'a—standing at the crossing-point of two routes, one running between the Indian Ocean and the Hijaz and the other linking Ma'rib with the Red Sea—was the capital of the Sabaean kings and the land where the Himyarites established their rule in their turn.

The city was occupied by the Abyssinians, subsequently being liberated by Seif Ibn Di Yazen with the help of the Sassanians of Persia. Even in the earliest years following the Hijra, Sana'a was a centre from which the Islamic faith spread outward. Nevertheless, it continued to be a city of a variety of religious communities, where all the faiths of the Book rubbed shoulders and all the inhabitants contributed to the general economic prosperity and beautification.

During that period Sana'a played a prominent role in the propagation of the Koran's message. A number of its buildings that are still standing were erected during the lifetime of the Prophet Muhammad: one example is the Great Mosque, a jewel in the heart of the old city which was embellished and enriched under the Umayyad and Abbasid caliphs and the later Yemenite governors. In addition, Sana'a features pleasing vistas of caravanserais, *hammams, souks,* palaces and dwellings surrounded by rich gardens, all harmoniously laid out with subtle ingenuity within the walls surrounding the city.

It was essential to avoid encroaching on arable land while simultaneously providing for the security of the city's inhabitants, and Yemenite architects rose to the challenge by creating a site characterized by geometrically varied, multistoreyed buildings whose courses of dressed stone form an attractive complement to the brilliant white of their projecting friezes and the delicate latticework of their arched windows.

But Sana'a is also a twentieth-century capital, where the most up-to-date achievements of a contemporary metropolis stand side by side with traditional sanctuaries, *madrasas,* markets and dwellings. It is the juxtaposition of these two worlds that gives the city its originality, but the main urban activities are tending to move by degrees outside the walled enclave, with the result that the ancient part of Sana'a is in danger of falling victim to a process of slow deterioration.

Over the past decade the Yemeni authorities have infused Sana'a with fresh vitality, endowing it with many features worthy of a modern city. But the Yemeni authorities are also determined to safeguard the historic, artistic and architectural treasures of their venerable capital, to launch an emergency programme designed not only to rehabilitate and restore the most important of the threatened monuments and dwellings but also to upgrade the urban infrastructure of the historic centre of Sana'a.

The General Conference of Unesco, at its twenty-first session in 1980, adopted a resolution authorizing me, in collaboration with the Government of the Yemen Arab Republic, to work out a plan of action for the preservation and restoration of Sana'a.

This plan is designed to safeguard the unique character of Sana'a, not only by preserving its historic centre but also by introducing there the facilities it needs in order to adapt to the requirements of modern life.

Its implementation will be facilitated by the establishment, following promulgation of the presidential order of 16 December 1984, of a Council chaired by the Prime Minister and including several Ministers and prominent citizens of Yemen.

Conservation and rehabilitation work will include repairs to major buildings such as mosques, *madrasas,* palaces, *hammans* and dwellings, while the modern infrastructure will include water-supply and sewerage systems as well as the renovation of electrical distribution, telephone and transport facilities. Supplementing these efforts, social and medical services will be upgraded, traditional crafts will be promoted, and cultural centres and a new museum will be established.

The financial and technical problems that must be overcome before these objectives can be attained are so massive and so complex that they call for a worldwide effort of solidarity. Accordingly, the Government of the Yemen Arab Republic has asked Unesco to support its work by appealing to the solidarity of all States and all peoples.

That is why I stand here today, at this imposing site, to launch a solemn appeal for international solidarity.

I invite all the Member States of Unesco and all peoples, their governments and national communities, public and private institutions, intergovernmental and international non-governmental organizations, and also foundations and financial institutions, to participate, by making voluntary contributions in cash, equipment or services, in the gigantic effort that has been undertaken by the Government of the Yemen Arab Republic.

I invite museums, art galleries, academies, libraries and all institutions concerned with the preservation, progress and dissemination of culture to organize exhibitions on Sana'a and to contribute to the task of safeguarding and restoring it.

ר"מ אונסקו

שגרירות ישראל

אל: סגן מנהל אמל"ט 1

מאת: שגרירות סנטו דומינגו

EMBAJADA DE ISRAEL

סנטו דומינגו

יד' שבט תשמ"ה

5 פברואר 1985

385

6.111 אונסקו

הנדון: ביקור השגריר הדומיניקני באונסקו בישראל

למכתבך 482 מ- 20.1.85

בשם השגריר ובשמי, אני רוצה להודות לך, לגב' יעל ורד ולמאו"ר על הטיפול שהענקתם למר רפאל סולנו ובתו בביקורם הפרטי בישראל.

ההתרשמות שהיתה לי בארץ שכמעט ואין תחליף הסברתי לביקור בארץ (שלצערנו כרוך בהוצאות לא קטנות) התחזקה בזמן הקצר שאני משרת כאן.

כמעט כל מי שביקר בארץ, במסגרת מאו"ר, מש"ב וכו' אינו חדל מלשבח את האירוח, הטיפול ואת מדינת ישראל. הדבר עוזר לנו מאוד בפעילות ההסברה ובעבודתנו היומיומית, ושוב, תודה על תשומת הלב.

בברכה,

אהוד

אהוד קינן

העתק: מנהל אמל"ט 1

גב' יעל ורד, יועצת לשה"ח

מנהל מאו"ר

Av. Sarasota No. 38 • Aptdo. Postal 1404 • Tels.: 533-2359, 533-7359 • TELEX: 3460139 • Santo Domingo, República Dominicana

AMBASSADE D'ISRAËL

שגרירות ישראל

פאריס ו' בשבט התשמ"ה

28.1.85

מס' 1511

אל : גב' יעל ורד, יועצת לשה"ח

מאת : הנציג הקבוע ליד אונסקו

הנדון: מחקר על ההשקעות בשימור ובשיקום אתרי תרבות

מכתבך מיום 18.1.85

פרופ' למייר אומר לי שהדו"ח יימסר לקהיליה האירופית ב- 15.2 ואיננו חושב שיימסר לפירסום לפני חודש מאי. מאחר והמחקר מומן ע"י הקהיליה איננו רשאי למסור אותו למישהו אחר.

יחד עם זה מוכן לעזור לך אם תציגי לו שאלות או להעביר לך מידע בצורה אחרת שבעצם יכול להיות זהה לתוכן הדו"ח.

בברכה

מאיר שמיר

העתק: מר ד. בן-דב, מנהל ארבל 3

3, RUE RABELAIS · 75008 PARIS · TÉL. 266.91.49

5102
** נבנס
**
**
**

משרד החוץ-מחלקת הקשר
שמור

אל: המשרד, נד: 375, מ: פריס
דח: ד, סג: ש, תא: 251084, דח: 1500
נד: מורשת עולמית

ר-מ אונסקו

שמור/רגיל

אל ארבל

דע בואנוס איירס

מאת אונסקו פאריס

ישיבת הועדה למורשת עולמית,שברקבס 184.
א.התכנס בבואנוס איירס בין 2/11 1-29/10 בבנין מרכז התרבות הכלית ע'ש
סנ-מרטין.

ב.מאחר וישראל לא אישררה את האמנה למורשת עולמית אין לה זכות להופיע
באורח רשמי.מאחר והישיבות פתוחות לקהל,נציג משגרירותנו יוכל לעקוב
אחרי הדיונים.

ג.על סדר היום:1. דוח המנכל והלישכה.
2.הצעות כרשום אתרים נוספים על רשימת המורשת העולמית שבסכנה.

3.דוח בספי.

4.בקשות לש'פ מבני

5.שמירה וניהול על אתרים המופיעים ברשימה הנל
6. פעולות לקידום האינפורמציה לקהל

7.קביעת התאריך ומקום הישיבה הבאה ושאלות שונות.
ד.כל הנל מפי הגב' RAIDEL המובנה לסייע לנציגנו.היא

6.111 אונסקו

משרד החוץ-מחלקת הקשר

תמריא

מחר לבואנוס איירס ואפשר להתקשר אליה באמצעות מר גוטיארו
בלשכת נציג
UNDP לפי הכתובת MAIPU 1252
הערה:הנקודה השרינה ביותר בשבילנו היא ג/4,כי יכול להיות
שתעלה הצעה
ערבית למימון שיפוץ אתרים מוסלמיים בירושלים.לאת ליידיעה בלבד

ובשום אופן אין לנקוט ביוזמה או אפילו לגלות שאנו יודעים על
הנושא
שכולו בטיפולו הדיסקרטי של פרופ. למייר.
נקודה אחרת היא ג/5 בה יכולה להיות נגיעה לירושלים.
ה.ריבתי כאן עם נציגי ארהב וצרפת באונסקו.אנשיהם יהיו
מוכנים למסור
מידע לנציגנו.

שמיר

תפ: שהח,מנכל,ממנכל,אליאב,אדבלב,גוראריה,אמלט,
שגב/מחינוך,ר/מרכז,ממר,ורד

ז' בטבת התשמ"ה
3 בפברואר 1985

אל : הנציג הקבוע ליד אונסקו, פאריס
מאת: יועצת לשה"ח

מחקר על השקעות בשמור ובשקום אתרי תרבות

תודה עבור מכתבך 1511 מ-28.1.85.
אני מבינה ומכבדת את נימוקי להמיר ומודה על נכונותו לעזר.
דרושים לי הנתונים שהזכרתי במכתבי מ-18.1.85. כלומר:

1. פיתוח התיאוריה שהשקעה בשימור ובשיקום אתרים משתלמת יותר מההשקעה בפיתוח תעשייה וחקלאות.

2. נתונים כלכליים וכספיים ודוגמאות מעשיות.

3. נימוקים שיוכלו לשכנע גורמי שלטון שעליהם לעמוד בלחץ יזמים ואינטרסנטים המבקשים הריסת אתרי תרבות, משום פיתוח אתרים אלה הינם לטובת הצבור מכל הבחינות.

ב ב ר כ ה

יעל ורד

י-ם אונסקו

כז' בטבת תשמ"ה
20 בינואר 1985
482

6.111 אונסקו

א ל: השגריר סנטו דומינגו

מאת: סגן מנהל אמליט 1

הנדון: בקור שגריר הרפובליקה הדומיניקנית באונסקו בישראל

מר רפאל סולנו, שגריר הרפובליקה הדומינקנית באונסקו, ביקר בישראל, באופן פרטי, בסוף דצמבר 1985, בלווית בתו. לנוכח ידידותו אלינו ובגלל עמדותיו באונסקו כלפי ישראל החלטנו לארחו, כאורח המשרד, במשך יום וחצי ב- 25 וב-26 בדצמבר.

ב- 25 לדצמבר ליוותה גב' יעל ורד את האורח ובתו בסיור בירושלים וכן סעדה עמם בארוחת ערב במשכנות שאננים.

ב- 26 לדצמבר סיירו האורח ובתו, בלוויית החתום מטה, במצדה וביריחו, ב- 27 לדצמבר נפגש האורח עם מנהל אמליט 1 ועם מנהל ארבל 3 לשיחות נימוסין. השיחה עם מנהל ארבל 3 התמקדה בהערכות השגריר סולנו לגבי המצב באונסקו. באותו יום השתתפנו בארוחת ערב שהתקיימה לכבודו בביתה של קונסולית הכבוד של הרפובליקה הדומיניקנית. באירוע זה נכח גם משתלם מהרפובליקה הדומיניקנית העובר השתלמות בהדסה בקורס בריאות הצבור. השגריר סולנו, שהוא מלחין נודע, ניגן בפסנתר שעה ארוכה ושר משיריו המפורסמים והמוכרים גם לנו.

ברצוננו לציין כי במהלך כל הליווי, הן ע"י גב' יעל ורד והן ע"י הח"מ, הביע האורח את ידידותו העמוקה והאיתנה לישראל.

רצ"ב מכתב תודה ששיגר לנו השגריר סולנו לאחר שובו לפאריז.

לידיעתכם.

ב ב ר כ ה,

ש. כהן

העתק: גב' יעל ורד, יועצת לשה"ח
מר מאיר שמיר, השגריר אונסקו
מאו"ר

DELEGACION PERMANENTE DE LA REPUBLICA DOMINICANA
ANTE LA UNESCO

1, RUE MIOLLIS - 75015 PARIS - TÉL. 568.27.10 - 27.11

CP-6/85 Paris, 4 de Enero; 1985.

Apreciado Amigo,

No es posible expresar suficientemente con solo palabras mi regocijo de haber visitado su pais y a la vez mi agradecimiento por todas las atenciones de que fui objeto por parte de ese Ministerio y especialmente a traves de su persona.

Puedo asegurarle, Sr. Cohén, que mi admiracion hacia el pueblo de Israel, se ha engrandecido mucho mas a la ocasion de nuestra visita, a pesar de tan corta estadia.

Tan pronto llegué a Paris, procedi a enviar una carta de salutacion al Sr. Shamir, representante vuestro ante la UNESCO, para manifestarle mi alegria de haber visitado su tierra.

Quiero asi mismo trasmitirle los sentimientos de gratitud expresados por mi hija Ana Cecilia hacia Ustedes y muy afectuosamente para su esposa.

Ruégole dar mis saludos al Sr. E. Armon, asi como al Sr. David Ben-Dov, por su amabilidad de haber recibido tan cordialmente mi visita en ese Ministerio.

Finalmente, distinguido Sr. Cohén, reciba un fuerte abrazo de este amigo suyo y de su pueblo, al tiempo que le deseo muchas felicidades en el proximo ano 1985 junto a toda su familia, y que la Paz reine para siempre en Jerusalem.

Le saluda fraternalmente,

Rafael Solano

Rafael SOLANO
Embajador, Delegado Permanente

Senor
S. COHEN
Division para Latino America
Ministerio de Relaciones Exteriores
JERUSALEM.-

כ"ה בטבת התשמ"ה
18 בינואר 1985

אישי

אל : מר מ.שמיר - הנציג לאונס"קו
מאת : יעל ורד - יועצת לשה"ח

הנדון : מחקר על ההשקעות בשימור ובשיקום אתרי תרבות

ר

בשעתו ספר לי פרופ' למיר כי הוא מכין יחד עם צוות מומחים דו"ח כלכלי בשביל הקהילה האירופית.

הדו"ח מוכיח כי התשואה בהשוואה לתשומה המושקעת בשימור ובשיקום אתרי תרבות והסטוריה ובפתוחתם לתיירות הינה גדולה פי כמה מהתשואות ביחס לתשומות בתעשיה ובחקלאות. במילים אחרות ההשקעות באתרי תרבות מגדילות את התיירות בקנה מידה דגול וע"י כך את ההכנסות של הגופים המשקיעים בקנה מידה גדול ביותר.

אנו יודעים על כך מסיורנו ברובע היהודי : מאז נפתחו לקהל הקארדו, הבית השרוף ואתרים אחרים עלתה התיירות לרובע היהודי במאות אחוזים ועימה ההכנסות ממסחר, ממכירת משקאות קלים וכו'.

לפי מה שאמר לי למיר, הדו"ח צריך להיות מוכן עכשו. אודה לך מאוד אם תתקשר עמו ותבקש עבורי העתקים של הדו"ח, אם ניתן באנגלית. אם הוא מצוי רק בצרפתית -אקבלו בצרפתית.
הדו"ח דרוש לי לעבודתי הקשורה בעניני שיקום אתרים והעניין דחוף למדי.

ב ב ר כ ה ,

יעל ורד

העתק : מר ד.בן-דב , מנהל ארב"ל 3

2776 נבנס שמור
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משרד החוץ-מחלקת הקשר

ר"מ אינסקן

אל: המשרד, נד: 266, מ: פרים.
נח: ד, סג: 9, תא: 170185, מז: 1300

שמור/דגיל

אל: ארבל 3

מאת: אונסקו פאריס

נרות: למייר שלבם 344

1. מציע לבוא בחמישה כמרם. הבריקונא אישור
2. אין כל בקשות מיוחדות. ירצה לראות אותם האנשים והמקומות כמו בביקורים הקודמים.

3. לפני נסיעתו לירושלים יבוא אלי לשיחה מוקדמת.

שמ"ד **

תפ: שהח.מנכל.ממנכל.אליאב.ארבל3,ודד.שגב/מחינוך

ר. אלי אינסקו

י"ם אונסקו

AMBASSADE D'ISRAËL

שגרירות ישראל

פאריס ט"ו בטבת התשמ"ה

8.1.85

מס' 1442

אל : מר דוד בן-דב מנהל ארבל 3
מאת: הנציג הקבוע ליד אונסקו

6 .111 אונסדו

הנדון: איקומוס.
מכתבך מס' 102 נירום 26.12.84

אני שמח על הסכמי להחיות את הסניף הישראלי.
בינתיים השבתי לך על שאלתך במכתבך מירום 2.12 (סעיף 6 במכתבך הנ"ל).

אמנם כתבת (סעיף 3) שאתה ועוזי דיברתם על ההיבטים הבינלאומיים של איקומוס, אבל יש בעיני משמעות לכך, שבמסמך שהיה מצורף למכתבך כלל לא מוזכר חלקו של איקומוס בהגדרת ירושלים כנכס בינלאומי בסכנה.

יתרה מזו, ברשימת הפעולות המוצעות לועד הישראלי של איקומוס, כלל לא מוזכרת ירושלים.

הצעתי היא שעם הקמת הועד הישראלי תבחר ועדת משנה לירושלים, שמתפקידה יהיה לרכז את המידע על מהשנעשה בעיר זו מאז שכל חלקיה הם בשלטון ישראלי.

ועדת המשנה תדאג לכך שלירושלים ייוחד חלק בכל הנושאים המוזכרים ברשימה אשר בדף 4 של המיסמך.

בשלב מאוחר יותר, אחרי שנציגינו יתמידו בהשתתפותם בכנסי איקומוס, יש לשקול הזמנת משלחת או ישיבת גוף מסויים של הארגון לישראל.

בעוד שפעולות אנשי המקצוע צריכות להיות ענייניות הרי עבודתנו חייבת להיות מגמתית: חתירה לביטול הקביעה שירושלים היא בסכנה (ומכאן ההשלכה של החלטת ועידת האיסלם שיש לשחרר - כלומר להציל אותה).

ההצגה העניינית תוכיח מה תרמה ישראל למען אתרי ירושלים, כולל מוסלמיים, והצילה אותה מהזנחה ואבדון של שנים.
אז תתבקש המסקנה האמיתית: מי הרס ומי בנה; מי כיער ומי ייפה; מי שעבד ומי שחרר.

בברכה

מאיר שמיר

העתק: מר פ. אליאב, ראש אגף ארבל
גב' י. ורד, יועצת שה"ח

3, RUE RABELAIS - 75008 PARIS - TÉL. 266.91.49

פיתוח מזרח ירושלים בע"מ

EAST JERUSALEM DEVELOPMENT LTD.

רחוב ממילא 18, ירושלים ● טל. 224403, 224404

ד"ר אונסקו

ירושלים, 8.1.85

לכבוד
גב' יעל ורד
משרד החוץ
כ א ן

ליעל היקרה,

6.1.11 אונסקו

ומה דעתך על המעטפה הרצופה ?

מדהים שאיש כפרופ' לאמר איננו מוכר באונסקו.
הייתכן.

את המעטפה המקורית אנו שומר בכספת שלנו כמוצג
פלילי נגד מוסד נורא זה.

כדאי למסור לפרסום ד"ר - Jerusalem Post ?

אף

בתיבה עמוקה,

יצחק יעקבי
מנהל כללי


PAR AVION
INCONNU A L'UNESCO
Professor Raymond M. LeMaire
UNESCO
7 Place de Fontenoy
75700 Paris
FRANCE
N'HABITE PAS À L'ADRESSE INDIQUÉE
RETOUR À L'ENVOYEUR
פיתוח מזרח ירושלים בע"מ
EAST JERUSALEM DEVELOPMENT LTD.
18 Mamilla St.
רחוב ממילא 18, ירושלים
Jerusalem

DELEGACION PERMANENTE DE LA REPUBLICA DOMINICANA
ANTE LA UNESCO

1, RUE MIOLLIS - 75015 PARIS - TÉL. 568.27.10 - 27.11

Paris, le 2 janvier 1984.

CP-1/85

Chère Madame,

Je viens de rentrer de votre beau pays avec ma fille et je ne peux pas vous dire combien j'ai été sensible à l'accueil que vous nous avez reservé lors de notre séjour.

Je veux vous remercier très sincèrement de votre amabilité à notre égard et profiter au même temps pour vous adresser tous nos voeux de bonheur et de succès en ce qui vous concerne personnellement et nos souhaits pour que la paix progresse en bénéfice de votre très beau pays.

Veuillez agréer, Chère Madame, l'expression de ma considération la plus distinguée, et mon fidèle souvenir

Rafael Solano

Rafael SOLANO
Ambassadeur, Délégué Permanent.

DELEGACION PERMANENTE DE LA REPUBLICA DOMINICANA - UNESCO -

Madame Yael VERED.
Ministère des Relations Extérieures.
JERUSALEM
ISRAEL.-

עיריית ירושלים
بلدية اورشليم ـ القدس
MUNICIPALITY OF JERUSALEM

לשכת ראש העיר
ديوان رئيس البلدية
Mayor's Office

ירושלים

כד בכסלו תשמ"ד
18 דצמבר 1984
750

111.6

לכבוד
הגב' יעל ורד
יועצת לשה"ח
משרד החוץ
ירושלים

ליעל ורד שלום,

מאשר בתודה קבלת מכתבך מה-14.12.84.

כמובן שלא נעשה דבר הנוגע לנו, שלא על פי נוהלים נהוגים.

בברכה,

ארנן יקותיאלי
מנהל לשכת ראה"ע

רח' יפו 22, ת.ד. 775, ירושלים 91000, טלפון 232251
22 Jaffa Road, P.O.B. 775, Jerusalem 91000, Tel. 232251
شارع يافا ٢٢ ص.ب ٧٧٥ اورشليم ٩١٠٠٠ هاتف ٢٣٢٢٥١

מדינת ישראל

משרד החוץ
ירושלים

ר"מ אונסקו

תאריך: כ"א בחשון תשמ"ה
15/11/84

מספר: 51
תיק מסי 211.11

אל: גבי יעל ורד, יועצת שה"ח

מאת: מנהל ארב"ל 3

111.6 אונסקו

הנדון: חפירות הכותל

מאחר שנעדרת מהארץ הנני למסור לך כמה פרטים בנושא הנ"ל:

1. ב-24.10.84 נפגשנו (ראש אגף ארב"ל , ס/מנהל ארב"ל 3 והחיימ) עם מנכ"ל משרד הדתות ואנשיו לשם דיון בתוכניות לציון שנת הרמב"ם (850 שנה להולדתו).

2. במהלך הפגישה בצבץ ועלה גם ענין החפירות הנ"ל ודווחתי לידיעת נציגי משרד הדתות על דיוני המושב ה-120 של הועד הפועל של אונסק"ו בנושא ירושלים. התיחסתי בין היתר לתביעת פרופסור רימונד מ. למייר למנות "מומחה זר" כדי לערוך סקר, בבנין אל מדרסה אל מנגיקיה (סעיף 4.1 בדוח פרופסור למייר מיום 4.8.84 - המופיע בדו"ח מנכ"ל אונסק"ו מסי EX/120 /14 מיום 27.8.84 עמ' 10). במברקנו מסי 23 מיום 1.10.84 משג פריס גם הזכרתי את פנייתו האישית של פרופסור למייר אלי ב-1.10.83 להזמין את המומחה הבריטי, NICOLAS AMBRASEY לצורך בצוע סקר זה.

3. בפגישה אצל מנכ"ל משרד הדתות הוצע וסוכם שיוזמן מומחה מטעם הטכניון אשר יערוך סקר פנימי ויגיש את המלצותיו. מנכ"ל משרד הדתות הודיענו שיתאם את ההזמנה עם מועצת השרים לעניני ירושלים ועם עיריית ירושלים.

4. ב-7.11.84 נמסר לנו שנעשים הצעדים להזמנת מומחה הטכניון (והאדונים זליקוביץ את קדרון מטפלים בכך).

5. לאחר קבלת חוות הדעת של המומחה מהטכניון נשוב ונדון במשותף בהמשך הטפול.

ב ב ר כ ה ,

דוד בן-דב

העתק: מר פנחס אליאב, ראש אגף ארב"ל
מר עוזי מנור, ס/מנהל ארב"ל 3

הקריה, רוממה ירושלים [redacted] טל' 235111 (02)
ירושלים 91 950

מדף 1041

RAYMOND M. LEMAIRE
PROFESSEUR À L'UNIVERSITÉ
DE LOUVAIN

October 17, 1984

RL/MG/148

Mr T. Kollek
Mayor of Jerusalem

Dear Mr. Mayor,

I send you enclosed, as promised, a note on the presentation of the excavations of the Citadel. I do it much later than I wished to do it but, since I came back from Jerusalem I have been on the way quite all the time on urgent missions for the Director General of Unesco.

The note on the Patriarcate is in translation and will follow at least at the end of the week.

As you probably know, the discussion on Jerusalem in the Executive Council was, for the first time, very quiet and no condamnation was voted against Israël what dit not happen since 1968. It was the objective of all my efforts during the last month and I hope it will help to soffen the atmosphere.

I will probably come back to Jerusalem before the end of the year at a moment that suits you. Indeed, I would be very glad to see you and to speek to you about important matters.

With warm regards,

Yours Sincerely,

BERTELSHEIDE 3054 LOONBEEK - HULDENBERG

חצב

ירדן

ישראל-ירדן

1. ירדן מדווחת לפורום ביע"ר על פעילותה לשיקום עתיקות בירושלים

המקור: "יצות אלשעב", ירדן, 12 נובי 84' (עמ' 11)

מנכ"ל החברה הירדנית לשיכון, שפיק זואידה, אמר במושב השלישי של שרי השיכון הערביים בתוניס כי המרכז לתיעוד, תחזוקה ושיפוץ של עתיקות ירושלים, שליד מועצת שרי השיכון, החל ביוני 84 בעבודות שיפוץ נמרצות בירושלים, חרף האילוצים, הלחצים ונסיונות הכיבוש הישראלי להפריע למהלך העבודות.

יש/

בנוב'. זאת, מתוך רצון משותף לפיתוח קשרי הידידות והשת"פ בין שתי המדינות. כתב סי"ק באבו ט'בי מוסר,כי להודעה קדמו מגעים בין שני הצדדים.

יל/

פנים

7. המהלכים הצפויים של בדיקות המפרץ על רקע פסגת המשפ"מ בכווית

המקור: "יאקרא", סעודיה, 1 נובי 84'

ל"יאקרא" נודע כי לפי הדוחו"ת שיוצגו בפני שליטי משפ"מ בפסגת כווית, שתתקיים בנוב' 84'. האסטרטגיה המשותפת של המפרץ בתחומים הפוליטי, הצבאי והכלכלי אינה מטרה סרפית לכשלעצמה אלא חלק [illegible]

ראש העיר
رئيس البلدية
MAYOR OF JERUSALEM

111.6

October 15, 1984
Tishre 19, 5745

Professor Raymond Lemaire
3054 Loonbeek
Bertelsheide
Belgium

Dear Professor Lemaire:

Thank you for your letter of August 20th which, unfortunately, arrived only a few days ago, on October 9th. Our postal service is obviously trying to prove it may be working slowly, but still working.

I read with interest the report of your discussions with the representatives of the Waqf Administration in Jordan and understand that matters are as follows:

... no funds allocated by the World Heritage Committee, by UNESCO or by similar international bodies will be included in the financial arrangements for this program;

... the operation would be carried out in the context of the existing situation, meaning that it would abide by the legal and administrative regulations in force within the existing situation in Jerusalem;

... the existing legal framework, as well as the one dating from the British Mandate period, if still valid, provides for broad autonomy for all works to be carried out in the buildings with a religious or parareligious function. The program would be carried out within this legal framework. Therefore, the exclusive authority of the operation would be the Waqf Administration of Jerusalem, already owners of almost all the buildings affected by the program. If there are buildings not owned by the Waqf, special arrangements have to be made with the legal owners, and the Waqf promises to be helpful in securing their cooperation;

... all work will be carried out only after approval of the files by the Waqf Administration of Jerusalem, with official permits issued by the Municipality of Jerusalem.

With all good wishes and I look forward to hearing from you soon,

Yours sincerely,

and seeing you soon again in Jerusalem

Teddy Kollek

Teddy Kollek

TK/lb

משרד החוץ-מחלקת הקשר

655 שגוד נבנס

** ** ** **

אל: המשרד, נד: 191, מ : פרים
דח: ד, 20: ש, תא: 091084, דה: 1830

שגוד/דגיל

אל ארבל כ

דש ורד

מאת שגיר, אונסקו פאריס

1. נפגשנו ב-9.10 עם פרוסור למייר על פי בקשתו ובשיחה נסה לשכנענו ש:
א. ההחלטה אל ירושלים שנדונה ב-3.10 הוזמה ותור חד דברור מצד העדכים ובן נוצרה אוירה חדשה שאסור להחמיצה. ב. חשוב ביותר שיבוצע CESTE ישראלי בדי לשמור על המומנטום ולפי המלצתו יש כשותו בתחום שגור המורשת האיסלמית.
אין הכוונה להדומה בספית לפעולה ישראלית חד צדדית אלא לגלוי רצון טוב ושתוף פעולה הוא משובנע שזהא כך השפעה מרחיקה לבת.
2. למייר משובנע גם של סמך שיחותיו בבירות ערב, שחלה זרוה לטובה בעיקר בקבלת ישראל העורדה קיימת.
3. לדעתו ירושלים היא שאלת המפתח ויש לפתרה בראש וראשונה ולא לדחותה לסוף.
4. השמיע גם דעות תוך שהוא מדגיש ידידותו לגבי יחסנו האמריקנטי בלפי האובלוסיה השרבית של מדרם ירושלים. 5. בתוקף מנדט אונסקו שוקל כבוא לבקור נוסף בנובמבר דצמבר 1984 לקראת בקורו מבקש בנראה להבשיר הקרקע ליצירת פתיחות לקבלת יוזמות חדשות שהוא שוקל הגשתן.

בנ-דב שמיר

6.111 - אונסקו

תפ: שהח,מנכל,ממנכל,מלראב,ארבל3,ורד,רובינשטיין,ר/מדבר.

משרד החוץ-מחלקת הקשר

8820
** יוצא שמור
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**

1-מ אורנים

אל: פריס, נד: 145, מ: המשרד
דח: ר, סג: ש, תא: 051084, רח: 1300
נד: אונסקו פ

שמור/דגיל

אונסקו. הועד הפועל

ההחלטה על ירושלים

6.111 אונסקו

1. סעיף ראשון בהחלטה מאכר את כל החלטות הועידה הכללית בנושא ירושלים. משתמע מכך גם ההחלטה מ' 1974 הכוללת את הסנקציות.
2. האם לא היתה הסתיגויות אמריקנית או מערבית אחרת מכבר? ארבל 3=

תפ: שהח, מנכל, ממנכל, אליאב, ארבל3, יגר, תרבות, ורד, שגב/ממחינוך

9412
** נכנס שמור
**
**
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אל: המשרד, נר: 102, 0 : פרים
דח: ר, סג: ש, תא: 041084, רח: 1730

שמורגלגיל

אל:ארבל 3

דע:ארציאלי

(הועבר כבן אהרון)

החינוך בשטחים-אונסיקו- רשרנו

1. הצעת ההחלטה הוגשה ע"י הסורני BAKRI שהשמיע, לפני הגשת הצעת ההח"מ שכשלת האשמות בדבר חסוך הוהות הפלסטינית התרבותית סגירת אוניברסיטאות וכיו"ב. מירט תרג מוכיח לדברי החרפת המצב

2. - הדג"ש שפעולות ריבוי החינוך תובקת גם רשות כיה"ס מוסדות או"ם בגון סטו"ת. (הצי"ש- הח"מ נכפי שהוסבר כנו אחיך, על פי העיסקה הבין קבוצתית)

4. הסודני הדג"ש שהח"מ אינה SINO DIE אלא עד מועד הועה"פ הבא.

אונסקו/פרים

חפ: שהם,מנדל,המנכל,אלי"אב,ארבל,ורד,ארבל,ורד,שמחים,
מתאמשמחים,ר/מרבר,ממר,ממר,שגב/ממחינוך

משרד החוץ-מחלקת הקשר

8803

נבנס בלמ"ס

אל: המשרד, נר: 43, מ : פרים
דח: ר, 20: ב, תא: 031084, ח: 1800
נד: ק. ריקה וירושלים

1-ם אונסקו

6 .111 אונסקו

בלמס/רגיל

אל : ארבל 3 (הועבר לבן-אהרון-נ')

מאת : אונסקו פרים

קוסטה ריקה וירושלים .

ביש"ב מליאת הועד הפועל של אונסקו ב-29.9 מחה הנציג הסורי
ל ABOO על התכנית להקים בקוסטה ריקה את אוניברסיטת השלום
בחסות האו"ם בגלל העברת שגרירותה לירושלים .

היו"ר הגנאי של הועד הפועל SEDOK דחה תביעה זו
כמחוסרת בסיס בקונסקסט הניל .
בן דב שגיר .

מפ: שהה,מנכל,ממנכל,אלימב,ארבל3,ורד,גוראריה,אמלט,
ר/מרכז,ממד

משרד החוץ-מחלקת הקשר

8802

נבנס בלס'ס

אל: המשרד, נד: 80, מ : פריס
דח: מ, 30, ב, תאו 031084, דח: 1000
נד: ירושלים

ר"מ אלוני

בלסס/מיידי

אל : מרכל 3

מאת : אונסקו פריס

הועד המועל .

א . ירושלים .

111.6 אלוני

1 . הצעת ההחלטה הערבית אמנם מסתמכת על החלטות קודמות אבל הפעם מסתפקת בדרישה למידע נוסף לגבי נקודות ספציפיות בדו"ח למייר .

2 . הדיון בועדה נפתח ב"י שמיר באמרו דרישא שלבל נמאס הדיון המתמשך והעיקר בנושא ונטוף פנה בקריאה לחברי הועד המועל לשנות ביוון וכפנות לדו-שיח בין מדינות האיזור בעניני תנוך ותרבות שכפי יעוד אונסקו יוכל להוליך להבנה וכשלום .

3 . תגובות שליליות לדבריו באו בעיקר מהסיני, האוקראיני הסובייטי והפקיסטאני .

4 . ראוי לציון תגובת נציג אלג'יריה שבנימה אפולוגטית ביקש סבלנות אונסקו להוסיף ולעסוק בנושא .

לדבריו דיאלוג דבר רצוי אך ביצד יובל להגיב פירות בין בובש לבין נבבש .

ב . לא נעדבה הצבעה וההצעה נתקבלה בקונסנסוס .
ג . פרטים נוספים בנפרד .

ד . נוסח הצעת ההחלטה בדיפ .

אל: שהה,מנכל,ממנכל,אליאב,ארנגל,ר/מרכז,ממד,ורד

0817
** נבנס שמור
**
**
**

1-כ אלסקו

מל: המשרד, נד: 81, מ: פריס
דח: ד, 20: ש, תא: 031084, חח: 1600
נד: אונסקו

שמור/דגיל

6.111 אלסקו

מרבל ב נהועבד כבן-אהרון נ"ב

מאונסקו-פריס

אונסקו-חינוך בשפחים.

1. הצעתה ההתלהבדיפ) שבלכה גינויים לא הובאה להצבעה והדיון בה נדחה לחושב הבא של הועדה הפועל באביב 85.
2. דחיית הדיון נעשתה על פי הצעת היוני ובפי שנמסרו לנו בתוצאה מעסקה בין המערביים והערביים שלפיה תתקבל ההצעה המאופקת יחסית על ירושלים בקונסנסוס תמורת דחיית הדיון בהצעה הקיצונית על השפחים למועד מאוחר יותר.

3. ברור לנו שוהו חלק מהמאמץ ולא להקנות לארהב תחושת נוסחת בנושא הפוליטיוציה בשלב עדין וה, לקראת קבלת החלטה סופית לגבי פרישתה.
4. עם זאת לא נמנע הסודני בהגישו הצעת החלטה לפני דחיית הדיון, להשחיל ההשמצות הידועות.

תע: שהה, מנכל, ממנכל, אליאב, מרבל ב, שגב/ממחינוך, ורד, שפחים, מתאמשפחים, ר/מרבו, ממד

8188

משרד החוץ-מחלקת הקשר

נכנס בלמ"ס

אל: המשרד, נר: 44, מ : פרים
דח: ד, סג: ב, תא: 021084, רח: 1600

ר"מ אונסק"ו

בלמס/דגיל

אל:ארבל 3

מאת:אונסקו -פאריס

הופעת למייר בועדה ליחסי חוץ,אונסקו.
1. ז'ייר הועדה DUMONT קבע הגשת דו"ח למייר בע"יף ב 1.10 והוכנות ב 3.10.

2. לאחר הקומת ס/המנכ"ל הארגוני MAKAGIANSAR הסתפק למייר בהעלאת במה נקודות בלבד:
א. התייחסות קצרה ובינלאומית לנסיון ההתקפה ב 26-27.84.

ב. התפירות שנמשכו ב 10 שנים הופסקו ,בתעלת המשך לכותל המערבי ונאם עפ"י החלטת רה"מ עצמו -לדבריו -חשוב ביותר.
ג. הנרק שנגרם לבנין מטה המועצה המוסלמית כלמשל צניחת מדרגות (אוקן. אין סכנת המוטטות בבנינים הערביים מעל התעלה כאם כי הם מוצבים של מלוי אדמה ועדמות שבדי אבנים) אך בהחלט קיימת סכנת חרורה הגורמת סדקים .

ד. נעשו עבודות חירוק למנוע חרורות וסדקים נוספים בבינינים , אך אין בהן די .

ה. יש לפעול לתקון המצב אך ברור שבשלב זה אין אפשרות למלא התעלה מחדש.
3. פרט לכך התייחס למייר בטון של ראגה מובטחת למצבם הפיזי של המנוסקריפטים בספרית מסגד כפת הסלע וחבע נלא הסביר ממ"ז להצלתם כדרבות ספרי קודאן עתיקי יומין. כן הרכיר שעבודות השיקוע ב "אל-אקצה" מסתיימות ושיש צורך לתקן ברחיפות גג כיפת הסלע המחריר מים . זאת למען שימור המודשת האיסלמית המפוארת .

4. הערה: ניבר מאמצו להבלים אירון.
ג-דב שמיר.

תפ: שהח,מנבל,ממנבל,אליאב,ארבלג,ורד,שגב/ממחינוך,
רובינשטיין,ר/מרכז,ממד

8280 משרד החוץ-מחלקת הקשר

** נכנס שמור

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יחס אונסקו

אל: המשרד, נר: 45, מ: פריס
דח: ד, סד: ש, תא: 021084, רח: 1700

111.6 אונסקו

שמור/דחיל

אל:ארבל 3 כהושבר לשה"ח בנ"י

דש:אירופה 2

מאת:אונסקו - פאריס

השגריר הבריטי באונסקו.

1. ב-1.10 נפגשנו לשיחה ארוכה עם GORDON שהינו פעיל ביותר בארגון שפ"י הרמנת שמיר.

2. בחילופי הדעות העלה בין היתר,הנקודות הבאות :

א. בריטניה מסכימה שיש צורך לעקור נגע הפוליטיזציה,אך מסתייגת מעמדת ארה"ב המרחיקת לכת מדי. יש לשאוף לרפורמות מבפנים.
ב. ההצעה להפסיק נוהג הגנוביים סבירה,אך יש לבחור העתוי המתאים ולהתחשב בבודח לגנות תופעות שליליות,למשל,באיראן באל-סלבדור ובמובן בברה"ים.
ג. בסגרת המאמץ לשפר פעולות אונסקו,רצוי להמנע מלקומם הערבים בבר בשלב מוקדם ועדיין זה. בעוות ארוך יתכן שניתן יהיה אולי להפסיק נוהג הגנוביים בנושאים פוליטיים שהנם מחוץ לסמכות אונסקו.
ד. עדיין לא ברור אם ארה"ב אמנם תפרוש ב-31.12.84 ואם הערבים אמנם ימלאו הבטחותיהם המשורפלות לבסות חלק מרבע התקציב שישלם עם הפרישה האמריקנית.

ה. לאחר הפרישה,אם תבוא,יתכן שהמדינות תיסוג מעמדת הפיוס

משרד החוץ-מחלקת הקשר

בלפי אדה''יב וישראל שבאה לידי בטוי באחרונה. אך יתכן,מצד שני,שחנסה לרצות אדה''יב,ברור שהערבים יתאמצו לנצל כל שינוי לרעה.

1. אין ספק שהקיצוניים בקרב הערבים סוחבים ''המתונים'' לפעמים נגד רצונם.

3. אשר לזעות CR המליץ גורדון שיועלו תלונות לא רק לגבי יהודים אלא גם לא-יהודים סובייטים וכן ''לום תלונות לגבי ארצות אחרות כבמדרח אפריקה או באמלט).

4. הבריטי לא גילה שום ענין בפרטי דוחו''ית מנבי''ל אונס''יקו בנוגאי ירושלים והתנוך בשטחים ושמדתו בראתה באילו: '' הוכוחים הללו נובעים בסיסית מן הסיכסוך המתמשך ועל כן לשם מה להתעמק יתר על המידה בפרטים ? נציגות הפילפינים בועד הפועל GUERRERO - NAKAPIL הודתה בפנינו שאין ביכולתה לתפוש את תסבוכת הו''ית למייר. זוהי ודאי גם תחושת נציגים אחרים.

בן דב - שמיר.==

תפ: אתה,דהם,שהבם,מנכל,ממנכר,סמנכל,ממד,דם,אמן,אירא, אירב,אדבלב

8260 נכנס ** שמור
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ר"מ אינסקי

משרד החוץ-מחלקת הקשר

אל: המשרד, נר: 57, מ: פרים
דת: ר, 20: ש, תא: 021084, לת: 1700

שמור/דגיל

אל:ארבל 3 (עבר לשהה בנ"י)

דע:מצפ"א

מאת:אונס"קו פאריס

שגרירת ארה"ב לאונס"קו.

1. לקראת הדיבוחים על 2 הצעות בנושאינו נפגשתי (שמיר חולה) 1-2 עם השגרירה GERARD ועם המרכיר הראשון DE WILDE , גילו נכונות בלתי מסויגת לש"פ.

2. הצעת ההחלטה בענין ירושלים שבבר הגיעה אל לידינו בערתם נראתה לנו כמתונה יחסית. פרט לאיזכור ההחלטה הגדושה של הועידה ה-22 (1983) אין בה בל גנוי אלא רק בקשה לקבל מהמנכ"ל :
א. יחד מידע מפורט לגבי השפעת חפירות התעלה.
ב. סקירת מומחים על בנין ביה"ס מנג'קיה.
ג. השגרירה הביעה רצון לפעול להחלפת הבטוי "שלטונות הכיבוש הישראליים" והביעה הסברה שבדאי יהיה למנוע הצבעה ולהשיג קבלת קונסנסוס בחקדים מועיל אפשרי לעתיד.

ד. שני האמריקנים הביעו צערם על חמקנות נציגים מערביים אחדים.באשר הערך חרית מערבית מולידרית מעודד הערבים להתמיד בתימרוניהם.
ה. בינתיים נודע שהצעת ההחלטה של החינוך בשמחים יותר קיצונית ובולל גינויים.

6.111-אינסקי

משרד החוץ-מחלקת הקשר

==.בד-בנ

תפ: שהח,מנכל,ממנכל,אליאב,ארבלב,מצפא,רובינשטיין,
שגב/ממחינון,ורד,שמחים,מתאמשמחים,ר/מרבר,ממר

6281 **
** נכנס
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משרד החוץ-מחלקת הקשר

שמור

אל: המשרד, נר: 46, מ : פריס
דת: ר, סג: ש, מא: 021084, רח: 1700

שמור/רגיל

אל:ארבל ג

מאת:אונסקו,פאריס

הודעת למייד - 1.10 - בהמשך לשלנו נר/44.
1. בעיתה פרטית לפני מתן דו"יחו בע"יפ לועדה,חזר למייד והביע שבנועו שהסוקים בבנין מעה היוקף ובבנינים ערביים אחרים נגרמו בגלל חפירותינו ולא חוזר לא בגלל פגעי הזמן.

2. הביר רגישות הבעיה כולה: אזור גבול,סיפות לא מוכר,רגישויות פוליטיות,דתיות ועוד.

3. עם זאת עיבחו בני שיחו בישראל והביע במשתמע אהדתו.
בן רב - שמיר.==

חפ: שהח,מנכל,ממנכל,אליאב,ארבלג,ודר,שגב/ממחינוך,
רובינשטיין,ר/מרכז,ממז

120 EX/PX/DR.1
PARIS, le 2 octobre 1984
Original arabe

ORGANISATION DES NATIONS UNIES
POUR L'EDUCATION, LA SCIENCE ET LA CULTURE

CONSEIL EXECUTIF

Cent vingtième session

COMMISSION DU PROGRAMME ET DES RELATIONS EXTERIEURES

Point 5.3.1 - Jérusalem et la mise en oeuvre de la résolution 22 C/11.8 (120 EX/14)

PROJET DE RESOLUTION

présenté par M. Eid Abdo (République arabe syrienne), M. Camille Aboussouan (Liban), M. Sulaiman Al-Onaizi, suppléant de M. Abdul Aziz Hussein (Koweït), M. Bashir Bakri, suppléant de M. Osman Sid Ahmed Ismail (Soudan), M. Azzedine Guellouz, suppléant de M. Mahmoud Messadi (Tunisie), M. Abdellatif Rahal (Algérie), M. Handhal Al Cheikh Khazal, suppléant de M. Saeed Abdullah Salman (Emirats arabes unis).

Le Conseil exécutif,

1. Rappelant l'ensemble des résolutions de la Conférence générale et des décisions du Conseil exécutif relatives à la protection et à la sauvegarde du patrimoine culturel de la ville de Jérusalem, et en particulier la résolution 22 C/11.8,

2. Ayant pris connaissance du rapport du Directeur général contenu dans le document 120 EX/14,

3. Considérant qu'il est nécessaire, après examen du rapport susmentionné et à la lumière du débat, d'apporter un complément d'informations détaillé, en particulier sur les sujets suivants :

   - Les incidences des travaux de percement d'un tunnel parallèlement au mur occidental du Haram-Al-Sharif, et l'étude d'experts concernant le bâtiment d'Al-Medrasa Al-Manjakiyya,

4. Considérant également que les autorités d'occupation israélienne n'ont pas encore répondu aux deux lettres du Directeur général en date du 14 avril et du 27 juillet 1984,

5. Invite le Directeur général à prendre toutes mesures qu'il jugera nécessaires pour obtenir le complément d'informations détaillé voulu et à lui faire rapport à sa 121e session ;

6. Décide d'inscrire cette question à l'ordre du jour de sa 121e session, pour pouvoir prendre la décision qui s'imposera à la lumière du rapport du Directeur général.

120 EX/PX/DR.2
PARIS, le 2 octobre 1984
Original arabe

ORGANISATION DES NATIONS UNIES
POUR L'EDUCATION, LA SCIENCE ET LA CULTURE

CONSEIL EXECUTIF

Cent vingtième session

COMMISSION DU PROGRAMME ET DES
RELATIONS EXTERIEURES

Point 5.1.3 - Application de la résolution 22 C/23 concernant les institutions éducatives et culturelles dans les territoires arabes occupés : rapport du Directeur général (120 EX/10 et Add.1)

PROJET DE RESOLUTION

présenté par M. Eid Abdo (République arabe syrienne), M. Camille Aboussouan (Liban), M. Sulaiman Al-Onaizi, suppléant de M. Abdul Aziz Hussein (Koweït), M. Bashir Bakri, suppléant de M. Osman Sid Ahmed Ismail (Soudan), M. Azzedine Guellouz, suppléant de M. Mahmoud Messadi (Tunisie), M. Abdellatif Rahal (Algérie), M. Handhal Al Cheikh Khazal, suppléant de M. Saeed Abdullah Salman (Emirats arabes unis).

Le Conseil exécutif,

1. Rappelant l'ensemble de ses décisions précédentes relatives aux institutions éducatives et culturelles dans les territoires arabes occupés,

2. Profondément soucieux de voir les habitants des territoires arabes occupés jouir, au même titre que tous les peuples, du droit d'accéder à un enseignement conforme à leurs besoins et à leur identité culturelle,

3. Ayant pris connaissance du rapport du Directeur général contenu dans le document 120 EX/10 et son Addendum,

4. Prend note avec une vive inquiétude du refus d'Israël de s'engager à appliquer les résolutions de la Conférence générale et les décisions du Conseil exécutif ;

5. Condamne énergiquement les fermetures d'universités et d'établissements éducatifs, les violations des libertés académiques, les restrictions imposées à la liberté de pensée, d'opinion et d'expression par les autorités israéliennes ainsi que les moyens de répression qu'elles utilisent, telles que les punitions collectives, les arrestations abusives, la torture, l'emploi d'armes à feu contre les manifestants ;

6. Invite les Etats membres à adopter une attitude positive en vue d'amener Israël à s'engager au respect et à l'application des décisions de l'Unesco ;

7. Demande à Israël de rouvrir immédiatement l'Université d'Al-Najah ;

8. Invite le Directeur général à charger un représentant permanent de l'Unesco d'assurer la surveillance du fonctionnement des institutions éducatives et culturelles dans les territoires arabes occupés ;

9. Invite le Directeur général à lancer un appel à tous les Etats membres et aux organisations charitables afin qu'ils fasse des dons au Fonds de bourses en faveur des étudiants des territoires arabes occupés dont il est question dans la résolution de la Conférence générale (21 C/14.1).

משרד החוץ-מחלקת הקשר

7799

נבנס בכמ"ס

אל: המשרד, נד: 23, מ : פריס
דח: ד, סג: ב, תאו: 011084, חח: 1930
נד: דוח לומ"ד

ר-מ אונסקו

בכמס/רג"ל

6.111 אונסקו

אל: ארב"ל 3

מאת:הנצ"ג הקבוע באונס"קו

דו"ח למ"ד

1. רגעים לפני הגשת דו"חו במושב ועדת החוץ ביקשנו למ"ד להתיחד עימו לשיחה פרטית מחוץ לאולם תוך התיחסות לסקר המוצע בנין של מנסקיה (מושב הוקמ) הוא מסליץ חמות שנסכים להומנת פרופ' NICOLAS AMBRASEYS

IMPERIAL BOLLEGE: LONDON

מומחה בעל שם עולמי ביציבות בניינים לעדוך הסקר המוצע ג עמוד סו עיסקה ג' בטקסט האנגלי של דוחו),בהנחה.
2. ראת בנגא' שעולה זו תוגבל אך ורק לצד המקצועי ככא שירבוב כל נושא פוליטי ועל בסיסי שיתוף פעולה חיובי וקונסטרוקטיבי בין שני הצדדים הנוגעים בדבר.

3. הוא מציע שנשיחס ככך בהודעתנו ביום ד' 3/10.
נו-דב -שמ"ד

עם: שהח,מנכל,ממנכל,אליאב,ארבל3,ורד,שחים,מתאמשחים.

משרד החוץ-מחלקת הקשר

רובינשטיין, ד/מרכז, מסר

ירושלים - אונסקו, סקר מדר 1984 (העתקות גם בא להמיר
27.8.84 120 EX/14

III.6 אונסקו

PRESERVATION AND RENOVATION OF THE OLD CITY OF JERUSALEM

The Old City of Jerusalem is built on the debris and remains of structures which were destroyed and rebuilt time and again during the last two thousand years and more. The level of the city today is in some place two metres higher, and in other places 4-5 metres higher, than the level of the city in Roman times. In several places the difference between the two levels is 10-14 metres.

Some structures are built on the remains of ancient vaulted buildings, whose stability has often been undermined over the years. Beneath many buildings are basements, some sealed, others still in use. In the courtyards or beneath many houses there are also water cisterns and sewage holes, some of which are dry today, others still in use.

Infrastructure and building maintenance suffered from severe neglect during the Jordanian administration (1948-1967) of the city. There was a steady increase in the misuse of ancient buildings of historical importance, as the unbridled destruction of walls and unchecked addition of rooms and utilities took place. These sites were frequently used as business premises and workshops, such as smithies, printing houses, stables and cowsheds, which led to further degeneration of the ancient buildings.

Moreover, the standard of municipal services in East Jerusalem left much to be desired: thirty percent of the households were without electricity, sixty percent lacked running water, and few dwellings were connected to the antiquated sewage system.

Shortly after the reunification of Jerusalem in 1967, it became apparent that the infrastructure in the Old City met neither modern technical nor aesthetic standards and requirements. It was decided therefore to begin intensive work on replacing it in its entirety.

Drainage and Sewage

Sewage in the Old City flowed in a network of conduits, most of which were built by the Turks hundreds of years ago, and some even predating them to the Roman period. In the course of the years, the system gradually became clogged, for the following reasons:

(a) Prior to 1969, water was in short supply in East Jerusalem. As a result, sewage did not flow freely, and settled, instead, in the drainage canals where, in time, it solidified. Throughout the entire period of Jordanian occupation, no major sewage and drainage work, including any appreciable repair or maintenance work, was carried out. Thus, over the years, the capacity of the canals decreased, with some collapsing and becoming completely blocked. This caused an unbearable stench to rise from the complex of cisterns opening towards the street to collect run-off water. As the clogging increased, sewage overflowed the sides of the canals and seeped beneath buildings, undermining the stability of their foundations. Several buildings collapsed, and many more had to be shored up.

(b) There was no separate drainage system in the Old City. Thus, every winter, the sewage conduits were inundated with huge quantities of rainwater, which they were unable to accommodate. The flooding which ensued resulted in their accelerated deterioration, and further increased the danger of building collapse. The condition of the sewage system resulted in its total collapse, creating an unbearable situation in the area. Consequently, the Western Wall plaza and the Holy Sepulchre plaza were in constant danger of flooding in winter.

In light of this situation, the Jerusalem municipality embarked on a long-term project to replace the drainage and sewage system in the Old City with a modern system to which all residents and businesses would be linked, and at the same time to renovate the water, electricity and other systems.

Renovation and Salvage of Endangered Buildings

Buildings and constructions in the Old City of Jerusalem have suffered severely from the state of disrepair of the drainage and sewage systems, as well as from the fact that the foundations of some of them were shallow and inherently unstable. Moreover, many buildings are vaulted with fillings of soil and stones in the ceiling structure. Because of neglect and lack of maintenance, water penetrating into this filling caused the appearance of flora which led to a further deterioration of the structures and facilitated seepage of water into walls and vaults, which also undermined their stability.

As renovation works were carried out, great care was taken to strengthen the defective foundations and endangered buildings. In an attempt to restore the original architectural beauty of the market areas, facades were cleaned and repaired, shutters, vitrines and other fixtures replaced and special lighting apparatus installed.

Water

While work was in progress on the sewage system, it became apparent that the existing water pipes were, for the most part, very old, corroded and leaky. Thus, all streets where the sewage system hasbeen modernized, water pipes have been completely replaced. The water system of the Old City has been connected to Israel's system and the water supply to residents has been transformed from twice-weekly rationing to a constant supply of running water.

Electricity

The rise in the standard of living of the Old City's residents since 1967, and the unanticipated population growth overtaxed the antiquated electricity system, which was in danger of total collapse. For this reason, and in order to remove the

unaesthetic labyrinth of overhead lines which endangered passers-by, an agreement was reached with the East Jerusalem Electric Company to lay a system of underground cables and to construct a power station with sufficient capacity to meet anticipated consumption. This project was entirely funded by the Government of Israel. All houses in streets where the infrastructure was being renovated were linked to the electricity system, and the streets were provided with street lighting, hitherto non-existent.

Telecommunications

At the same time, an underground system of telephone lines has also been laid in the Old City, with all subscribers being connected to automatic exchanges with adequate capacity to meet anticipated demand.

As part of the effort to preserve the aesthetic appearance of the Old City, the roof-top television antennas havebeen removed from all houses in the Christian, Armenian and Jewish Quarters and replaced by underground TV cables. A start has also been made on removing the antennas from the Moslem Quarter.

Street Paving

The highlight of the development work in the Old City, especially in the public markets, is the paving of all streets with stone. This contributes to overall cleanliness and decidedly improves the aesthetic appearance of public areas.

The Walls of the Old City

Under Jordanian rule, the Old City walls served as sniper and, sometimes, heavy machine-gun positions, and were banked with sandbags, barbed wire and concrete fortifications. The walls themselves deteriorated badly due to lack of maintenance throughout the years.

The East Jerusalem Development Co. restored the parapets of the Old City walls, four kilometres in all. The work included insulation against rainwater seepage, paving, installation of safety handrails and stairways at all the gates.

The old entrance to the Damascus Gate and its wooden bridge were replaced by an amphitheatre-shaped plaza and an impressive stone bridge. An ancient Roman tower was uncovered in the wall and opened to the public and the ancient Roman square, which was discovered beneath the Damascus Gate, will soon be opened to the public.

Summary of Renovation Work to Date

The infrastructure in the Armenian Quarter, the Jewish Quarter, almost all the Christian Quarter and a considerable section of the Moslem Quarter has been renovated. Following is a summary of work carried out to date:

Renovated street infrastructure	-	7,750 m
Area paved	-	33,400 sq. m.
Drainage pipes laid	-	5,853 m.
Sewage pipes laid	-	10,416 m.
Water pipes laid	-	12,100 m.
Telephone cables and wires laid	-	30,825 m.
Underground television cables laid	-	20,585 m.
Street lighting cables laid	-	12,365 m.
Street lighting installations	-	508
Electricity transmitting stations	-	4

The foundations of buildings lining streets where restoration and renovation work have been carried out have been strengthened along axes totalling 4,000 metres.

In addition, 181 endangered buildings have been strengthened and saved. 5 buildings which could not be saved were demolished under the supervision of the municipal engineer responsible for endangered buildings.

The Unesco Report

Professor Raymond Lemaire, personal representative of the Director-General of UNESCO, wrote in UNESCO Report (116 EX/18), dated 31 May 1983:

" Public works schemes in the Old City

The principal public works projects in the historic city are: reconstruction of the drainage system and water and electricity conduits, resurfacing of streets and squares, improvement of public lighting, renovation of shop fronts, improvements in the outer precincts of the ramparts, removal of the heaps of refuse within the ramparts and removal of television aerials...

These schemes were initiated in 1969. They have been carried out in stages since then, depending on the availability of funds.

Three-quarters of the work on reconstruction of infrastructures (sewers, water conduits, electricity, distribution cables) has been completed according to the President of East Jerusalem Development Ltd., the entity responsible for carrying out the work. In my previous reports from 1976 onwards, I have stressed the need for these works, since the old drainage system was manifestly incapable of accommodating the sharp increase in water consumption.

The effectiveness of the new drainage system is borne out by the fact that some of the basements of buildings which were regularly flooded previously are now permanently dry. One case in point is the crypt of the patriarchal Armenian church of Our Lady of the Spasm.

(The engineers) are clearly confronted with particularly difficult technical conditions. The streets are generally very narrow (often less than 2 to 3 metres wide) and space must be left for the passage of pedestrians and goods while the work is being carried out. The subsoil is extremely variable and unstable, since it usually consists of superimposed layers of debris, several metres thick, accumulated over a period of more than two thousand years and cluttered with walls, old drainage systems, cisterns still in use or filled in, etc. The foundations of the houses rest on this debris and are not very deep in many cases. In the lower quarters of the city, the mortar of the walls has been eroded by dampness and salts. It is for all these reasons that vernacular building structures tend to be fragile. Excavations undertaken at the foot of their walls may render them unstable.

The fact that relatively few complaints have been made... would seem to indicate that the condition of adjacent buildings was taken into account in executing the work. The soil may be slow to settle after excavations and the process is liable to become more pronounced after a period of heavy rain. Furthermore, the installation of a new sewage system beneath the preceding one results in additional drainage of the soil which may accentuate the settlemetn process.

Resurfacing of the streets

Before resurfacing work was started, the streets of Jerusalem were paved with many different materials: remains of paving from different periods and especially bituminous products. The street surface, which was generally in poor condition has been preserved in parts of the city where reconstruction work has not yet begun. Elsewhere it has been destroyed by the major public works. The new surface consists of paving slabs in natural Jerusalem stone, laid in a fine simple design. Only the paving of the "Via Dolorosa" is somewhat more complex: the sites of the "stations" of the Way of the Cross are marked on the ground by semicricles made of stone of the same kidn and unit shape as the rest of the pavement.

Here and there, fragments of the old paving found at a lower level have been incorporated in the new surface, especially opposite the Convent of Our Lady of Zion and on the Christian Quarter Road in the vicinity of the Holy Sepulchre. Naturally, for Christians these stones, which may have been trodden by the procession to Golgotha in the year 33 of our era, are extremely moving relics.

Reconstruction of the ramparts

Since 1969 reconstruction work has been in progress in the outskirts of the ramparts built by Suleyman the Magnificent between 1537 and 1541. I have described this work in its successive stages in my numerous previous reports. The project has now been completed. It consisted of: uncovering the base of the rampart where it had been concealed by heaps of earth or rubble; landscaping (planting areas and walks) of the zone between the rampart and the various roads skirting the historical city; conversion of the expanse in front of the Damascus Gate, the main entrance to the old city, into a public square.

The final project carried out in the last two years has been the construction of a protective iron railing all along the walk at the top of the inner face of the rampart. The walk has thus been made accessible to tourists between St. Stephen's Gate in the east and the Dung Gate in the south. Only the portion of the rampart which merges into the southern and eastern wall of the Haram al-Sharif is not included in this long promenade from which one can see the changing landscape of the old city, since the level of the rampart walk is generally higher than that of the houses.

Removal of television aerials

All the streets provided with a new drainage system have also been equipped with underground conduits for cable television. The latter system has been introduced in the Christian, Armenian and Jewish quarters and has dispensed with the need for individual aerials.

Although underground facilities already exist in a large portion of the Muslim Quarter, cable television has not yet been installed. According to the Mayor of the city, part ofthepopulation is opposed to it.

The programmes transmitted in the old city are the same as those in other quarters of the municipal area of Jerusalem with cable television facilities. In addition to two Israeli channels, there are, according to the same source, two Jordanian channels and two Egyptian channels."

אשר לטענות בענין המדרסה המנגקית ומבנים אחרים הבנויים לאורך הכותל המערבי רצוי לציין העובדות הבאות :

כל המבנים הנ"ל בנויים בחלקם המזרחי על קיר אבנים מסיבי הוא הכותל המערבי ובחלקם המזרחי על מילוי אדמה (soft fill) וקירות עתיקים, בנויים אבנים קטנות ועפר. התשתית השונה של שני חלקי המבנים הללו, וכן העובדה שמתחת למבנים לא מעטים או בחצרותיהם קיימים בורות מים או בורות ביוב מלאים או יבשים, גורמת לכך שהאדמה עובדת (settlment of soil), וכתוצאה מכך ומהסבות שנזכרו בעמ' 1 לק 2 b נוצרים סדקים במבנים שמעליהם, ללא קשר עם המנהרה.
יתר על כן, המדרגות שנפלו נשענו על קירות עתיקים עשויים עפר ואבנים קטנות שהתערערו במשך השנים. המדרגות נפלו תוך כדי פעולות החיזוק של קירות אלה באמצעות קירות בטון מזויין. בינתיים הושלמו התיקונים, והמדרגות הוחזרו למקומן בדיוק כפי שהיו. חיזוק קירות התמך נמשך.

Confidential

20st August, 1984

111.6

My dear Mr. Mayor,

As promised, I am hereby keeping you informed of the evolution of my negotiations with a view to the preservation of the Islamic historic precincts in Jerusalem.

I submitted to the representatives of the Waqf in question the same basic document as the one I handed over to you and I informed them verbally of your standpoint as to the main point at issue : the use of the $ 100.000 grant awarded by the Convention concerning the Protection of the World Cultural and Natural Heritage in its 6th session (1983).

The problem has been examined closely, the grant already allowed is currently being paid out. I drew attention to the political weight attached on your side to this matter and to the fact that an inadequate answer might therefore block the entire project. I accordingly suggested the following solution : the total amount awarded by the Convention Committee - i.e. $ 100.000 - would remain frozen in an account opened in Amman and in which, in agreement with the Waqf, all donations relating to the undertaking would be deposited. The sums which will be deposited in this account would be transferred to the Waqf, to the exclusion of the $ 100.000. The annual balance-sheet, which would be drawn up by an accountant approved by both parties, would be conclusive. The $ 100.000 would only be used for the undertaking inasmuch as the Israeli authorities reconsider in the future their present decision. It seems that this solution has some chance of being supported by both parties.

On the Arab side, while agreeing that the undertaking must be performed within the framework of the laws and regulations in force, emphasis is laid on the fact that administrative forms be somewhat dampened. The formulation "official permits issued by the Municipality of Jerusalem" raises problems for reasons you will certainly understand.

The solution suggested is as follows : the restoration files would be "communicated" to the Municipality and execution would only be possible after an answer has been received from the Municipality approving these works. In Madrid, you told me that this agreement would raise no problems if the files were duly drawn up. Should you consider this to be useful, my opinion could constitute a reference which both parties might appreciate.

I am well aware that this matter is not an easy one to settle and that a compromise is not easily worked out. It seems to me that this is nevertheless the last point that could hinder a global solution. May I therefore venture to insist that a solution be found which may be approved by both parties. It is in the interest of both that the Islamic heritage in Jerusalem be restored.

As far as the actor of the operation is concerned, it is clear that only the Waqf will intervene. As owner of the premises, it is the sole responsible authority. It is the sole valid representative and the sole developer of the undertaking. Beyond the Waqf, the Islamic organizations undertake to collect funds and to place them at its disposal. It is clear that this money will be transferred to Jerusalem through the official channels in accordance with the procedures in force.

Your suggestion to temporarily rehouse the inhabitants of the buildings that are to be restored in housing units to be built in the Arab district of the old city, on the two dunams now unoccupied and belonging to the Waqf, was received with interest. Rehousing of the restored buildings would depend on their capacity to receive decent accomodation within the framework of their restoration and rehabilitation. Return of the inhabitants to the restored accomodation should not be subjected to a procedure.

I would furthermore like to inform you of an incident which, if it were misunderstood or misinterpreted, might jeopardize the success of the operation. This is what happened : While I was in Amman, where certain members of the Government, among whom the Ministers R.Nijem and A. Naboulsi, wanted to talk to me about the program for the use of the $ 100.000 grant awarded by the Convention, this program forms the subject of a contract and was, in principle, to cover the expert's fees and formation costs. An indiscretion, very likely at the level of the secretariat, gave rise to a piece of news in the press, of which the contents correspond in no way to our talks. These talks indeed focused on the realization of the program with financial means other than those of the Convention since this sum will remain frozen depending on your opposition to the use thereof. The talks were of a confidential nature, like the entire operation (see Item 1 of the note handed over to you and on which there is unanimous agreement). I am in a position to assure you that both astonishment and disappointment were unanimous when this piece of news was published - it was only published in the Arab newspaper Al Rai. It is hoped - and I join in this hope - that this will not give rise to any obstacle on your side to the accomplishment of the preservation program as it has been agreed upon and for which, to the exclusion of the point which forms the main subject of this letter, an agreement has been reached. A photocopy of the article in question is enclosed for your information.

May I thank you once again for your warm and friendly welcome as well as for your great open-mindedness and open-heartedness in a project - the restoration of the Islamic architectural heritage in Jerusalem - for which you are concerned since long.

I am entirely at your disposal should you wish to clarify any matter relating hereto. We could do this by letter or by phone. Should you deem it necessary, I will not hesitate to make a short trip to Jerusalem.

Sincerely yours,

P.S. On the other side, they know nothing about a gift from H.M. the King of Arabia to Yasser Arafat "for the preservation of the architecural heritage of Jerusalem".

ירושלים

ראש העיר

رئيس البلدية

MAYOR OF JERUSALEM

July 27, 1984

Professor Raymond Lemaire
Jerusalem

Dear Professor Lemaire:

I was very pleased that we had the chance for a quiet and productive talk yesterday.

Let me begin by thanking you for your confidence in what we are doing and for all you are doing to preserve the beauty of Jerusalem and the heritage of the many civilizations of its long history.

I am returning to you the amended suggestions you gave me. This brings you my personal wishes for your success in this undertaking, for the preservation and restoration of the Islamic heritage is of singular importance. We have on our own made some small steps in this field, but the project is vast and we were so far also handicapped by the lack of interest and cooperation on the part of the Moslem authorities.

I have made a few small changes in the draft and one or two substantive ones which I already mentioned to you when we met. Two copies of the text are enclosed; if you have any comments, I look forward to receiving them.

Again let me express my hopes for your success. Please feel free to call on me if I can be of any help. You can write to my private address, 6 Rashba Street, Jerusalem, and be assured of complete confidentiality.

With all good wishes for a safe and pleasant journey home - and we look forward to your return to Jerusalem.

Sincerely yours,

Teddy Kollek

Teddy Kollek

TK/lf
Enclosures

The program includes basically the following options:

1. Objective:

1.1. To safeguard, rehabilitate and restore the Islamic cultural heritage of the city in the context of the existing situation.

2. Structure:

2.1. On all sides no political use will be made of the considered operation, which will basically be discrete and has as its only aim the protection of the Islamic cultural heritage of Jerusalem.

2.2. The operation would be carried out in the context of the existing situation, meaning that it would abide by the legal and administrative regulations in force within the existing situation of Jerusalem.

2.3. The existing legal framework, as well as the one dating from the British Mandate period, if still valid, provides for broad autonomy for all works to be carried out in the buildings with a religious or parareligious function. The program would be carried out within this legal framework. Therefore the exclusive authority of the operation would be the Waqf Administration of Jerusalem, already owners of almost all the buildings affected by the program. If there are buildings not owned by the Waqf, special arrangements have to be made with the legal owners, and the Waqf promises to be helpful in securing their cooperation.

2.4. The necessary financial means for the operations, estimated at U.S.$1,000,000 a year for 15 years and collected in the Islamic world and elsewhere, will be placed at the disposal of the Waqf, which will be directly responsible for those funds and ensure that they will only be used for this program. It stands to reason that the 15 year period can be shortened even by half, if the financial means are conveyed more rapidly to the organization charged with carrying out the program and if sufficient manpower is available.

2.5. No funds allocated by the World Heritage Committee, by UNESCO or by similar international bodies will be included in the financial arrangements for this program.

2.6. The implementation of this program will be entrusted to the Waqf Administration of Jerusalem which is the only organization entitled to contract with regard to the survey and carrying out the works.

... cont'd

3. General action plan:

3.1. Determination by qualified experts of particular technical diagnostic program, e.g. for alteration and repair of the stones, for humidity in masonry and for specific constructive techniques of Mameluk architecture.

3.2. Compiling of preservation and restoration files of the affected buildings according to a list of priorities determined by the Waqf Administration of Jerusalem, taking into consideration the technical urgency and the capability of the intervention teams to carry out successfully the planned works.

3.3. Carrying out of the work after approval of thefiles by the Waqf Administration of Jerusalem, with official permits issued by the Municipality of Jerusalem.

3.4. Formation of staff for design and implementation, including local assistance by skilled architects and other experts according to the requirements.

الرأي

٢٨ صفحة

٥٠ فلسا

يومية عربية سياسية تصدر عن المؤسسة الصحفية الأردنية

AL RA'I DAILY NEWSPAPER MONDAY JULY 30, 1984 No. 5158 VOL. 14 AMMAN — JORDAN

إناطة صلاحيات التنظيم بمجلس التنظيم الأعلى او البلديات

عمان – الراي – اعلن المهندس حمد الله النابلسي وزير الشؤون البلدية والقروية والبيئة ان الوزارة بصدد طرح مفهوم جديد للتنظيم بحيث لا يعين على اي مخطط هيكلي اي مركز تجاري ويترك ذلك الى مجلس التنظيم الاعلى او البلدية المعنية.

وقال السيد الوزير في تصريح خاص ل "الراي" إن هذه الخطوة

البقية ص٢٤

اليونسكو تساهم في عمليات ترميم مواقع الآثار الأردنية

عمان – الراي – صرح المهندس رائف نجم وزير الاشغال العامة انه تم عقد عدة اجتماعات مع البرفسور لومير المندوب الشخصي لمدير عام اليونسكو بشان التراث المعماري في مدينة القدس بحضور المهندس حمد الله النابلسي وزير الشؤون البلدية القروية والبيئة.

وقال المهندس نجم في تصريح

البقية ص٢٤

اليونسكو

خاص ل "الراي" انه تم الاتفاق على كيفية صرف مبلغ مائة الف دولار خصصتها لجنة التراث العالمي في اليونسكو للانفاق على خبراء الترميم الذين ستستقدمهم الاوقاف لهذا الغرض لتدريب الجهاز الفني المحلي وكذلك لمباشرة الترميم في بعض المعالم الاثرية في القدس.

واضاف السيد الوزير ان لجنة التراث العالمي وعدت بصرف تبرعات اخرى مستقبلا في ضوء العمل الذي سيتم انجازه علما بان هناك مؤسسات اخرى ستساهم في مشروع الترميم كمنظمة المدن العربية ومنظمة المدن الاسلامية ومؤتمر وزراء الاسكان والتعمير العرب.

ويأتي هذا الجهد ضمن خطة شاملة لتوثيق وترميم وصيانة الاثار الاسلامية في القدس الشريف وستتم متابعة تنفيذ هذا المشروع من قبل مركز ترميم الاثار في عمان والتابع لجامعة الدول العربية ويقوم جهاز فني مختص في قسم الاثار التابع لدائرة اوقاف القدس بالتنفيذ المباشر لعملية الترميم.

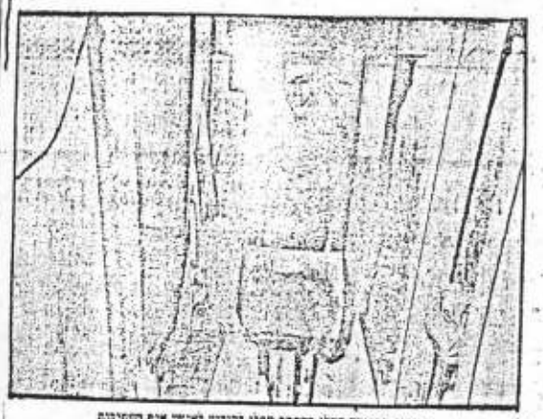
من جهة اخرى ذكر الدكتور عدنان الحديدي مدير عام دائرة الاثار العامة انه ضمن خطة الدائرة لاعادة بناء وترميم المواقع الاثرية الاردنية قام البرفسور لومير خبير الترميم في منظمة اليونسكو بزيارة الى مدينة جرش الاثرية يوم امس وتجول في مناطق الترميم الرئيسية التي يجري العمل فيها حاليا وابدى اعجابه بالانجازات الاردنية في هذا المجال وتقوم دائرة الاثار العامة بهذه الترميمات بالتعاون مع منظمة اليونسكو

واوصى البرفسور لومير بان تساهم مؤسسات دولية في مشروعات الترميم الاردنية مستقبلا نظرا لاهمية الاثار الاردنية وشموليتها لحقب تاريخية هامة في التاريخ البشري وسيقدم البرفسور لومير تقريرا مفصلا الى دائرة الاثار حول افضل السبل لترميم قلعة الكرك وصيانتها في اقرب فرصة

ومن المقرر ان يقوم اليوم الاثنين بزيارة الى مدينة البتراء للغاية ذاتها.

وثيقة سوفياتية

ירושלים



עבודות החפירה [illegible] לאנשי אגף העתיקות

הכותל הצפוני (א׳)

סכנה: מפולת

הארץ 20/4/1974

מאת נדב שרגאי

קולק ובורג הסכימו כי עבודות החפירה צפונה מהכותל המערבי לא יימשכו עוד; מעל אתר העבודות התערערו יסודות בתים

[illegible]

ביקורת חריפה

[illegible]

הפירות העשויות

[illegible]

(כתבה ראשונה)

משרד החוץ-מחלקת הקשר

מדרגות המגילס לאחר קריסתן ב־26 במארס

מכבים שרפות

שקיעת המדרגות של בית הוואקף על הר הבית חייבת לשמש אות אזהרה לחדול מחפירות פרועות בכותל הצפוני

מאת נדב שרגאי

באמצע חודש אוקטובר נמשכו החפירות בכותל המערבי במלוא ה"קצב. קווי חשמל אחדים הוחלפו בכלל קצרים חוזרים ונשנים במע"רכת התאורה. אור הניאון האיר את טיפות המים שהחלחלו מבעד לקירות ולקימורים, וגרמו תקלות. שליחו האישי של נשיא אונסק"ו, הפרופ' ריימונד למר, סייר בשעת בוקר מוקדמת עם הארכיאולוג מאיר בן דב ושמע ממנו הסברים.

ביקור קודם של למר במקום הסתיים בתקרית מביכה בין שני ארכיאולוגים, יריבים ותיקים: דן בהם, ארכיאולוג מחוז ירושלים של אגף העתיקות במשרד החינוך, ודב בן מאיר המעורב כמעט בכל חפ"רה ארכיאולוגית באיזור הכותל ב"שנים האחרונות, למורת רוחו ה"סומבית של אגף העתיקות. את למר ליוו באותו יום איש משרד החינוך דוד צרפתי ודן בהם. במהלך הסיור הופיע לפתע מאיר בן דב ומחה בפני האורח על שהוא מקיים את הסיור ללא השתתפותו, בשטח ה"נתון לפיקוחו זה למעלה מ־15 שנה. לנגד עיניו של למר הנדהם התנהלה סצנה מכוערת שלא הוסיפה כבוד למדינת ישראל.

בן דב זעם כאשר שמע שלפר מתרוץ של סדקים הגיבעים ביסו"דות הבתים שמעל לחפירה. „הל" עיקו את למר בסיפורים", אמר בן דב. „בהם אינו מתמצא באמורים שאני פיתחתי (...) למר הוא איש חביב, ארכיטקט מקצועי ונחמד. אלה ששולחים אותו זקוקים למש"פט אחד ממנו: ביקרתי בישראל בתאריך זה וזה. אחר כך הם כות"בים מה שהם רוצים, בדרך כלל נגדנו ללא קשר עם ממצאיו של למר. אני לא מבין מדוע אישרו לי לבקר במקום".

סדקים מתרחבים

שמוס קלונר, קודמו של דן בהם בתפקיד ארכיאולוג מחוז ירושלים באגף העתיקות, לא התלבט מעולם בהגדרת עבודתו של מאיר בן־דב בחפירות משרד הדתות. „הוא מצפ"ון אף בגלוי על החוק, פועל כנציגם של הרבנים ולא כנוף ממשלתי ממ"לכתי, תוך גרימת נזקים ארכיאו"לוגיים וסיכון המבנים הממלוכיים והאחרים הבנויים מעל לחפירה. מעולם לא ניתנה במקום הרשאה לחפירה, לא היה במקום פיקוח אר"כיאולוגי צמוד ומנחה".

מאיר בן דב הגיב בזמנו על דב"רים אלה כך: „עובדתית, לא הת"מוטט מעולם שום מבנה מעל איזור החפירה. משרד הדתות מבצע את החפירה בתוקף אותו חוק, הממנה אותו כאחראי על הכותל כמקום קדוש (...) בכנסיית הקבר ובהר ה"בית מבצעים מוסלמים ככל העולה על רוחם ואגף העתיקות שותף".

עתה, אמצע חודש אוקטובר, לי"ווה את למר בן־דב בלבד אך גם בביקור זה הצביע למר על סדקים מתרחבים והולכים, בעיקר על סדק מתחת לבניין המגלם, הוא בית ה"וואקף שעל הר הבית. סופו של הביקור הזה היה גם תחילת הסוף של החפירות במקום. ראש הממ"שלה יצחק שמיר שוחח עם שר הפנים והדתות דיר יוסף בורג וב"קש ממנו להפסיק כל עבודה ב"מקום. בורג נאות, אך כמה ימים לאחר השיחה עדיין עשו המריצות את דרכן מלאות עפר מפנים הח"פירה אל החוץ, סמוך לכותל המ"ערבי. מנכ"ל משרד הדתות דוד קס"תי מיהר לשגר מכתב חריף ל"מנכ"ל משרד הדתות הרב משה סלומון. אז, רק אז, הוציא סלומון, שגם בורג שוחח עמו בינתיים, מכ"תב חד משמעי לנפחלי קדרון, המ"הנדס האחראי כמעט משרד הד"תות על פיתוח העבודות בשטח, כי עליו להפסיק מיד כל עבודת חפירה במקום.

בשלב זה נכנסו לתמונה מהנדסי הוואקף, מהנדסי מבנים ממוכנים של העיריה ונפחלי קדרון הנתשב בפי כל לאיש מקצוע מעולה. תחי"לת הציגו הכל להזריק בסון דרך הסדקים לחללים שמתחתם, אך ה"רעיון נפסל. הוברר כי יהיה צורך בעבודת חיזוק איטית ויסודית כ"ביוון אחר החפירה כלפי מעלה, ו"העבודה החלה. מורים זילקה, יוע"צ של סדי קולק לענייני ערבים, זקדים לתחילת העבודות סיים אחד, שהועמד באופן הברור ביותר בפני נחל הוואקף חמן ההבוב: „אם צעלו את העניין למטרות פוליי"יות, אם תעוררו הסתה בעזרתו, פסק שיתוף הפעולה ביניכם. תה"וב הבטיח שיתוף פעולה. בעיתו"מודת העיר לא התפרסמה מלה ! המתרחש מתחת למגלם, למעט שוט אחד או שניים מכלי התק"ירת הישראלים.

קדרון ואנשיו מחברת משה"ב עב"ו באיטיות, שנראתה גדולה מדי לטעמם של כמה אנשים בעיריה. „לאט — אבל בטוח", כהגדרתם שלהם. הם גילו כי הסדקים שע"ליהם הצביע למר, היו רק קצהו של קרחון, לאורך חלקים רבים מהח"פירה ניבטו סדקים. בתחילת חודש נובמבר ביקרו במקום מפקד המ"חוז הדרומי של המשטרה ניצב יהו"שע כסס", מנכ"ל משרד הדתות ה"רב סלומון, מתאם הפעולות לענ"ייני ירושלים במשרד הפנים אש"רים שלה וסקירים בכירים נוספים. ב־13 בינואר נפגש שוב מורים זיל"קת עם אנשי הוואקף והבטיח להם כי תוך חודשיים יסתיימו עבודות החיזוק. הוא חזר גם על הבטחתו שעבודות החפירה לא יחדשו עוד.

ב־8 במארס דיווחה ביקורת של היחידה למבנים מסוכנים בעיריית ירושלים על „התפתחות שלילית מהירה בכיוון המדרגות". ב־13 ב"מארס עדיין נמשכו עבודות החיזוק, בכל פעם שנדמה היה כי נשלמה המלאכה נתגלה בקיע או חשד ל"סדק חדש וגם בו החלו לטפל. שבועיים אחר כך — בליל ה־26 במארס — שקעו מדרגות המגלם אל תוך החפירה, ובאותו זמן אר"עה מסולת עפר מקומית במנהרה. אנשי הוואקף זעמו. הם לא האמינו כי החפירות הוסקו. אנשי העיריית ומשרד הפנים ניסו להרגיע אותם. אנשי הוואקף ביקשו לבקר למטה בחפירות. מעולם לא אפשרה ישראל לאנשי הוואקף לבקר במקום וגם הפעם סירב מורים זילקה להתחייב. „נחשוב על זה. נשקול את הבק"שה". אנשי הוואקף אומרים כי הבי"נו מדבריו של זילקה שיינתן להם לבקר באתר החפירות. מתחת לפני הקרקע עבדו שעות נוספות בחיזוק יסודות המגלם ברשתות ברזל ולו"חות בטון.

טלפון שבור

שלושה ימים לאחר ששקעו המד"רגות הצהיר משה זליקוביץ, מנהל המחלקה למקומות קדושים במשרד הדתות כי בכוונתו להמשיך בעתיד את עבודות החשיפה של הכותל ה"צפוני, אך רק אחרי שיסתיימו עבו"דות החיזוק והתמיכה. בעיריה דע"מו, מנכ"ל משרד הדתות נער בזלי"קוביץ ומיהר לפרסם למחרת ב„ה"ארץ" הודעת הכחשה לדבריו של מנהל המחלקה. יוסף גדיש, ממלא מקומו של קולק, ששהה בחו"ל, שיגר מברק לראש הממשלה יצחק שמיר. הוא הזכיר לו את מכתבו של קולק מחודש אוקטובר, יועצו המדיני של שמיר, יצחק בן אהרן, טלפן למנהל לשכתו של השר בורג. בורג מיהר לחייג לסלומון. סלומון פרסם את הודעת ההכחשה לדברי ז"של זליקוביץ.

בשטח, התברר ליותר ויותר אנ"שים כי מה שמתריד בין יסודות המגלם לתקרת המנהרה הוא עפר המוחזק על ידי חלוקי אבנים. כך בנו פעם. ביקורי המהנדסים באתר חכמו והלכו. לעתים ביקרו במקום מעמיים ביום. ב־8 באפריל דיווחו שוב מהיחידה למבנים מסוכנים של העיריה: „בריקה מראה שקצב הת"פתחות הסדקים בקיר המערבי ש"מעל המדרגות גדל פי 9. המדרגות שמעל לבור המדרגות ממשיכות לשקוע עם הקשת שמתחתן".

נכון לעכשיו — ה־18 באפריל — מצביעים הדיווחים על שיפור ב"מצב. אם יילך הכל כשורה יסתיי"מו העבודות — והפעם יסתיימו ב"אמת — בעוד שבועיים. מי שמשלה את עצמו כאילו יהיה אפשר לחדש את עבודות החשיפה מוטב לו ש"יזנח את הרעיון. גם הפסקנים ב"יותר, שלפני כמה חודשים הכחישו באותות ובמופתים, עם הוכחות מד"עיות והנדסיות, כי אין קשר בין ה"חפירות למה שנעשה מעליהן, מו"דים היום כי הסדקים והבקיעים שנוצרו באיזור הרגיש מעל לא"תו — לא נוצרו יש מאין.

ראשי משרד הדתות המופקדים מכוח החוק על האיזור חייבים ל"תגביר את הפיקוח על הנעשה בו, ולמנוע מצב שבו כל „מפקד" ב"שטח יהפוך לו כמה פרעלים, יצ"ביע על נקודה מסוימת ויצווה — חיפרו. כדאי יותר, כפי שאכן מחכ"נן המנכ"ל סלומון, להפנות את פועלי משה"ב לפיתוח האוכלוסת שבבר נחשפו כדי שיהיה אפשר ל"השתמש בהם לשמחות, תפילות או כל צורך דתי אחר. ב־30 במאי יגיע שוב הפרופ' למר ארצה וכן הסתם יבקש שוב לבקר במנהרת משרד הדתות לאורך הכותל. את עבודות החפירה יש להפסיק לא בעבור למר אלא בעבור עצמנו, אלא אם כן הפך משהו לראות כבר עכשיו את בניין המגלם קורס תחתיו יחד עם עו"כמה עשרות מבנים מבלוכיים ש"סביבו ואינו מוכן להשאיר את ה"מלאכה למשיה.

(רשימה שניה ואחרונה)

1st draft.

The programme includes basically the following options:

1. Objective:

1.1. to saveguard, rehabilitate and restore the Islamic cultural heritage of the city in the context of the existing → ~~actual~~ situation.

2. Structure :

2.1. on all sides no political use will be made of the considered operation, which will basically be discrete and has as its only aim the protection of the Islamic cultural heritage of Jerusalem.

2.2. the operation would be carried out in the context of the existing situation, meaning that it would abide by the legal and administrative regulations ~~being~~ in force within the existing ~~actual~~ situation of Jerusalem.

2.3 the existing legal framework, as well as the one dating from the British Mandate period, if still valid, provides for broad autonomy for all works to be carried out in the buildings with a religious or parareligious function. The programme would be worked out within this legal framework. Therefore the exclusive owner of the operation would be the Waqf Administration of Jerusalem, already owner of almost all the Buildings affected by the programme. If there are buildings not owned by the Waqf, special arrangements have to be made : - -

Will the legal owners and Civil Authorities be helpful to be helpful in securing the cooperation

2.4 the necessary financial means for the operations, estimated at 1.000.000 US dollars a year, during 15 years and collected in the Islamic world and elsewhere, will be placed at the ~~owner's~~ Waqf's disposal, ~~through the "Al Quds Research, Documentation and Preservation Centre"~~. ~~An independant organisation will be set up to supervise the use made of these funds.~~

Why is this needed ?

It stand to reason that the 15 year period can be shortened even by half, if the financial means are conveyed more

No Unesco money.

./.

rapidly to the organisation charged with the carrying out of the programme, and if sufficient qualified manpower is available.

* 2.5 the action and financing programme will be prepared and decided by the above mentioned organisation.

2.6 The carrying out of this programme will be entrusted to the Waqf Administration of Jerusalem which is the only organisation entitled to contract with regard to the survey and carrying out the works.

3. General action plan :

3.1 determination by qualified experts of particular technical diagnostic e.g. for alteration and repair of the stones, for humidity in masonry and for specific constructive techniques of Mameluk architecture.

3.2 compiling of preservation and restoration files of the affected buildings according to a list of priorities determined by the "Centre" ~~in~~ WAQF adm. taken into consideration ~~of~~ the technical urgency and the capability of the intervention teams to carry out succesfully the planned works, ~~in collaboration with the Waqf Administration in Jerusalem~~.

3.3 carrying out of the works after approval of the files by the "Centre" ~~and~~ WAQF adm. in Js. with official permits. issued by the MUNIC of Js.

3.4. formation of staff in designing and carrying out e.g. through local assistance by skilled architects and other experts according to the requirements.

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United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-twentieth Session

120 EX/14
PARIS, 27 August 1984
Original: English/French

Item 5.3.1 of the provisional agenda

JERUSALEM AND THE IMPLEMENTATION OF 22 C/RESOLUTION 11.8

SUMMARY

In resolution 11.8 adopted at its twenty-second session, the General Conference requested the Director-General to keep the Executive Board informed of developments in the situation regarding cultural property in Jerusalem. In this document the Director-General submits to the Executive Board the information relating to the cultural heritage of Jerusalem available to him at 10 August 1984.

I. INTRODUCTION

1. At its twenty-second session, the General Conference considered the Director-General's report on 'Jerusalem and the application of 21 C/Resolution 4/14' (documents 22 C/90 and 22 C/90 Add.) and adopted resolution 11.8, the text of which is annexed hereto. In the operative part of that resolution the General Conference:

'1. Reaffirms the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;

2. Endorses decision 5.4.1 adopted by the Executive Board at its 116th session;

3. Strongly condemns Israel's persistent refusal to abide by those resolutions and decisions, and its policy of judaization and annexation of the City of Jerusalem;

4. Invites the Member States of Unesco to undertake all necessary action, by such means as they may deem appropriate, to put an end to this situation;

5. Thanks the World Heritage Committee for its decision to include the Old City of Jerusalem and its walls on the List of World Heritage in Danger and invites it to continue its activities for the protection and safeguarding of cultural property in the city;

6. Thanks the Director-General for the continued efforts he has made to ensure implementation of the relevant resolutions and decisions, while maintaining Unesco's presence in the city;

7. Requests the Director-General to keep the Executive Board informed of developments in the situation;

8. Decides to include this question in the agenda of its twenty-third session.'

II. COMMUNICATIONS RECEIVED BY THE DIRECTOR-GENERAL CONCERNING JERUSALEM

2. On 31 January 1984 the Director-General received a cable from the Director-General of the Arab Educational, Cultural and Scientific Organization (ALECSO), informing him of an incident that occurred during the night of 26-27 January 1984 in the Haram al-Sharif enclosure. The text of that cable, which was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 16 March 1984, with a request for his government's comments, is reproduced below:

'During the night of Friday, 27 January, a group of thugs, attempted to make their way on to the holy terrace of the hallowed sanctuary of Islam, the Haram al-Sharif in el Qods (Jerusalem), to plant grenades and explosives. Had it not been for the vigilance of the nightwatchmen, this dastardly attack would have succeeded ... The reactions of international public opinion and the justifiable indignation of the Muslim and Christian religious authorities, obliged the occupation forces to hold an inquiry and to acknowledge, on 30 January, as reported by Reuter's: firstly, that once the alarm had been raised, the group fled, leaving behind nineteen grenades and thirteen kilos of explosives, as well as ladders and ropes; secondly, that, according to the police, the grenades came from stores belonging to the Israeli army and that,

according to the Mosque guards, the criminals were armed with Uzi machine-guns which form part of the Israeli army's standard equipment. All these undisputed facts therefore confirm, if confirmation were needed, that el Qods (Jerusalem) is in constant danger ... It is now clear that while the inclusion of el Qods on the "List of World Heritage in Danger" is a necessary measure, it is no longer enough; it is now in fact the duty of Unesco's Member States to give more vigorous support to the work being done by the Organization's Director-General for the safeguarding of cultural property in the Holy City and to act in unison to ensure that the resolutions adopted by the General Conference are put into effect and that an intolerable situation is ended.

I should therefore be most grateful if you would kindly keep the Executive Board informed of developments in the situation in el Qods following this criminal attempt and would duly inform the Member States of our deep concern and our appeal to their solidarity.

Please accept, Sir, the assurances of my highest consideration and regard.'

3. On 8 February 1984, the Director-General received, through the Permanent Delegate of Jordan to Unesco, a communication from the Minister of Foreign Affairs of Jordan, concerning the above-mentioned incident. This communication was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco under cover of a letter dated 15 March 1984, accompanied by a request for his government's comments. The text of the communication is reproduced below:

'To His Excellency the Ambassador of Jordan in Paris:

I shall be grateful if you will kindly communicate the following information to the Director-General of Unesco. On 26 January 1984, a considerable quantity of explosives was discovered inside the Haram al-Sharif. Immediately after this discovery, the Muslim guards of the Haram reported that they had seen a group of people fleeing as soon as their plot was discovered, leaving the said explosives behind. Concordant accounts indicate that the explosives were intended to blow up the Dome of the Rock the following morning when the faithful would be at prayer. The Israeli newspapers published detailed information showing that the explosives were identical with those used by the Israeli army and that the assailants escaped, once they had been discovered, in an Israeli military vehicle that was awaiting them.

The Government of the Hashemite Kingdom of Jordan would like to draw your attention to the fact that this plot continues the series of acts perpetrated by the Israeli authorities since 1967, the date of the occupation of el-Qods (Jerusalem), in order to profane, damage and destroy Muslim monuments in particular, but also the Christian holy places. Jordan has supplied detailed information, at the appropriate times, about the violations of holy places, beginning with the excavations, the fire at the Al-Aqsa Mosque in 1969, and the previous attempts against the buildings of the Mosque and the faithful at prayer, particularly those carried out last year by a soldier of the Israeli army and the followers of Rabbi Meir Kahane.

The Government of Jordan emphasizes the fact that the holy places have been damaged and attacked only since the Israeli occupation, that is to say, since 1967. We cannot regard the constant assaults carried out by the Israeli authorities as unrelated to the plans for effacing any Arabo-Islamic traces from the town, since the time when they annexed it in defiance of all the

resolutions adopted by the United Nations. We hold the Israeli occupation authorities responsible for all these happenings and call upon the international community to dismiss Israel's attempts to place the blame on groups or individuals that it describes as extremist or mentally retarded. We must also stress that the absence of any effective international reaction would enable Israel to persist in its plans and would help to prepare the ground for Israel to carry out its plans in future.

The Government of Jordan would like to draw attention to the fact that the stepping up of assaults on the holy places of el-Qods, and their viciousness and brutality, pose a threat to those places. The international community must recognize the seriousness of Israel's machinations and take effective steps, worldwide, without further delay, to thwart them.

Accept, Sir .....

Minister of Foreign Affairs'

4. The Director-General has received a letter dated 29 February 1984, in which the Permanent Delegate of Saudi Arabia, on behalf of the Arab Group, drew his attention to the incident which occurred in the Haram al-Sharif. This letter was communicated by the Secretariat to the Permanent Delegate of Israel to Unesco on 4 April 1984, with a request for his government's comments. The text of the letter was as follows:

'Paris, 29 February 1984

Sir,

On behalf of the Arab Group at Unesco which has instructed me to do so, I have the honour to bring to your notice the special situation of the Al-Aqsa Mosque in Jerusalem resulting from an attempt to blow it up.

During the night of 27 January 1984, a group of thugs tried to make their ways into the sanctuary of the Haram al-Sharif in order to blow it up while the faithful were at their dawn prayers.

Thanks to the vigilance of the night watchmen, this criminal attempt, which would have led to a terrible disaster, was foiled in the nick of time.

The perpetrators of this dastardly attempted crime, who were seen fleeing by several witnesses, left behind on the terrace of the sanctuary nineteen grenades, thirteen kilos of explosives, ladders and ropes.

As the police of the Israeli occupying authorities actually admit, these explosives came from an Israeli army arms store.

Moreover, according to the Mosque guards, the assailants were armed with Uzi machine guns, which form part of the Israeli army's standard equipment.

This criminal attempt follows the pattern of concerted action, methodically developed since 1967, designed to efface all trace of Islam from the city of el Qods, especially the Al-Aqsa Mosque.

It continues a series of criminal acts already perpetrated, including the burning of part of the Mosque in 1979 and the attack on it, and on worshippers in it, committed in 1982 by an Israeli soldier.

All these acts confirm, if confirmation were still needed, that the city of el Qods in general and its Muslim and Christian cultural and religious historical monuments in particular, are in danger and that, unless energetic measures are taken by the international community, and by Unesco in particular, the criminal goal pursued will inevitably be finally achieved sooner or later.

The inclusion of the city of Jerusalem on the World Heritage List is not enough by itself, to thwart these plans and remove this danger, for which the occupying Israeli authorities bear full responsibility.

Referring to the relevant resolutions of the General Conference on this subject, and in particular to 22 C/Resolution 11.8, I have the honour to request you to:

1. Inform the Member States of Unesco of this situation.

2. Have any necessary inquiries and investigations carried out.

3. Bring this matter before the Executive Board at one of its forthcoming sessions so that it may take the appropriate measures required by the gravity of this situation.

I should be grateful if you would inform me of the action which you intend to take on this request.

Accept, Sir, the assurances of my highest consideration.

S. Bawazeer
Permanent Delegate of Saudi Arabia

President'

5. Furthermore, the Ministry of Education and the National Commission for Education, Culture and Science of Jordan have sent a memorandum to the Director-General on this incident. The text of this memorandum, which the Director-General received on 12 March 1984, is reproduced below:

'The Ministry of Education (Jordan National Commission for Education, Culture and Science) denounces the criminal attack of Israeli's grenades on Al-Aqsa Mosque on 26 January 1984.

The attempt which is not the first incident of Israeli plans in an intention of carrying out measures aiming at the judaization of the occupied Arab territories and the obliteration of the Islamic and Christian holy sites (is) in defiance of United Nations' resolutions and in total disrespect of world public opinion.

Noting the danger inherent in such series of violations and attacks on the holy places which started with 1969 burning of the Al-Aqsa Mosque and continued by the ongoing excavations of the Islamic historical monuments and ending with this last attempt of bombing the holy shrines which re-emphasizes the Israeli plots and its consequent challenges to the Islamic and the international communities where a big quantity of explosives were discovered at

Al-Aqsa Mosque manufactured by Israeli army which notifies that the Israeli Government and army were co-operating in this conspiracy.

The Ministry of Education (Jordan National Commission for Education, Culture and Science) appeals to Unesco to shoulder its responsibilities referred to in its resolutions and to implement its commitments towards one of the important historical sites included on the List of World Heritage in Danger by continuing its activities for the protection and safeguarding (of) the cultural property of the city.'

6. The Director-General has received from the Permanent Delegate of Israel to Unesco a communication, dated 2 May 1984, referring to the letter sent to the Director-General on 29 February 1984 by the Permanent Delegate of Saudi Arabia on behalf of the Arab Group. This communication reads as follows:

'Paris, 2 May 1984

Sir,

I have received a copy of the letter dated 29 February 1984 from the Permanent Delegate of Saudi Arabia, transmitted according to your instructions under cover of letter No. CLT/CH/01/308/18 of 4 April 1984.

With regard to this communication, we should like to make the following comments:

Following the attempt to invade the Temple Mount, the competent authorities of the Government of Israel immediately started an extensive investigation. Suspects were arrested a few days later and the indictment was duly submitted to the courts.

According to the information available to date, the persons involved were a small group of religious extremists.

As the matter is at present 'sub judice', the court's decision must be awaited and I shall certainly inform you of the progress of this case and of the verdict when it is returned.

Accept, Sir, the assurances of my highest consideration.

Meir SHAMIR
Minister Plenipotentiary
Permanent Delegate of Israel'

7. The Communication of 2 May 1984 from the Permanent Delegate of Israel to Unesco was transmitted on 5 June 1984 by the Secretariat to the Chairman of the Arab Group, the Permanent Delegate of Saudi Arabia.

8. The Permanent Delegate of Jordan to Unesco also addressed to the Director-General, by letter dated 1 June 1984, a note from the Ministry of Foreign Affairs of Jordan dated 19 May 1984 informing him of a subsidence which occurred on 26 March 1984 in the steps leading to the entrance to the Higher Islamic Council, located in the vicinity of the Al-Aqsa Mosque in Jerusalem. The texts of this letter and note were transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco under cover of a letter dated 27 July 1984 requesting the observations of her government, and are reproduced below:

'1 June 1984

Mr Director-General,

His Excellency the Minister of Foreign Affairs of Jordan has informed me of a subsidence which occurred on 26 March 1984 in the steps leading to the entrance to the Higher Islamic Council, located in the vicinity of the Al-Aqsa Mosque in the city of Jerusalem. According to the architects' reports, this subsidence is due to the excavations being carried out under the direction of the Israeli authorities in the general area of the Al-Aqsa Mosque and the Al-Haram al-Sharif, as indicated in the attached note.

The Jordanian Minister of Foreign Affairs and the Minister of Education and Chairman of the National Commission of Jordan for Unesco have kept you informed of these aggressive acts perpetrated with the full knowledge of the Israeli authorities and under their auspices, endangering the integrity of the monuments, property and holy places of Jerusalem and threatening them with destruction. These measures are part of an uninterrupted series of aggressive actions, the last of which took place on 26 January 1984 when a group of Israelis planted explosives obtained from the Israeli armed forces with a view to destroying the Al-Aqsa Mosque. On behalf of the Government of the Hashemite Kingdom of Jordan, I submit this complaint in the hope that Unesco and its subsidiary bodies will take appropriate measures to put an end to the repeated acts of aggression committed by Israel against the religious and archaelogical monuments of the city of Jerusalem and to ensure the protection of these monuments, particularly since the World Heritage Committee has placed the Old City of Jerusalem and its remains on the List of the World Heritage in Danger.

Please accept, Mr Director-General, the assurances of my highest consideration.

Hani Al-Khasawneh
Ambassador, Permanent
Delegate to Unesco

Note from the Jordanian Ministry of Foreign Affairs

(19 May 1984)

On 26 March 1984 a subsidence took place in the stairs leading to the entrance to the Higher Islamic Council in the vicinity of the Al-Aqsa Mosque. A hole three metres long, two metres wide and over ten metres deep appeared, revealing a long tunnel dug by the Israeli Department of Antiquities parallel to the outside western wall of the Al-Aqsa Mosque. This tunnel runs from the Al-Maghariba Gate past the Chain Gate, the Cotton Market and the Iron Gate to the Gate of the Higher Islamic Council (also known as Al-Madrasa Al-Manjaqiyya Gate), which houses the Waqf administration.

The digging of this tunnel caused the destruction of four steps and the appearance of cracks in the outside and inside walls of the Council building.

Mr Adnan Al-Hussaini, architect of the Waqf, has established that this subsidence was caused by the excavations carried out under the auspices of the Israeli Ministries of the Interior and Religious Affairs in the search for what are described as the remains of the northern part of the Wailing Wall.

He stated that these excavations are endangering not only the Waqf administration buildings but also all the historic Islamic monuments situated along the ramparts and within the area of the Haram al-Sharif. In effect, earth has been removed during these excavations and this has weakened the foundations which can no longer support the buildings above them. Cracks will gradually appear, threatening the buildings with total collapse.

In its issue of 30 March 1984, the newspaper Al-Sha'b reproduced an item published by the newspaper Haaretz, in which Mr Moshé Zakulowitch, director of the Holy Places Division of the Israeli Ministry of Religious Affairs, stated that the excavations would be continued and would be extended to the northern part of the Haram and the courtyards of the Al-Aqsa Mosque, which are located between Al-Ghawanima Gate and the Tribes' Gate. The present digs are an extension of the excavations begun by the Israeli authorities in 1967 and extended first to the southern and then to the western parts of the Al-Aqsa Mosque.

This statement shows once again that the Israeli occupying authorities refuse to take into consideration the disastrous consequences of the excavations in contempt of all the decisions taken by international bodies, particularly the Security Council and Unesco. Despite the efforts of the Islamic organizations of Jerusalem to repair the cracks which have begun to appear in most of the historic Islamic monuments around the Al-Aqsa Mosque, due to the continuation of the Israeli excavations, the collapse of these monuments appears to be imminent. Accordingly, a global plan needs to be drawn up for the strengthening of these monuments and the repair of the cracks which have begun to appear, and the excavations must be halted at once.'

III. MISSION OF THE PERSONAL REPRESENTATIVE OF THE DIRECTOR-GENERAL

9. In pursuance of 22 C/Resolution 11.8, the Director-General instructed his personal representative, Mr Raymond Lemaire, Professor at the University of Louvain, to visit Jerusalem, which he did from 21 to 27 July 1984. Following his mission, which was carried out after consultation with the Government of Israel, Professor Lemaire delivered to the Director-General his report, which is reproduced in full below:

'1. Purpose of the mission: to examine the cultural heritage in Jerusalem. The contents of this report refer back to the earlier general report dated 6 May 1983.

2. Persons met:

Israeli:

- Mr P. Eliav, Deputy Director-General of the Ministry of Foreign Affairs;
- Mr U. Manor, Deputy Director of the Human Rights Department of the Ministry of Foreign Affairs;
- Mrs A.M. Lambert-Finckler, Ambassador, former Director of the Human Rights Department of the Ministry of Foreign Affairs;
- Mrs Vered, Adviser for Jerusalem to the Minister of Foreign Affairs;
- Mr Minerbi, Inspector-General, Ministry of Foreign Affairs;

- Mr Gabai, Director-General of the Ministry of Justice;
- Mr U. Hasson, Deputy Attorney-General;
- Mr T. Kollek, Mayor of Jerusalem;
- Mr S. Ovnat, Deputy Mayor of Jerusalem;
- Mr M. Zylka, Adviser to the Mayor of Jerusalem;
- Mr Y. Yaacobi, Director of the Jerusalem Development Company;
- Mr N. Kidron, Engineering Adviser to the Ministry of Religious Affairs;
- Mr D. Bahat, Chief Archaeologist of the City of Jerusalem;
- Mr N. Avigad, Professor at the Hebrew University;
- Mr Y. Shilo, Professor at the Hebrew University;
- Mr P. Bugod, architect;
- Mr D. Cassouto, architect;
- Mr Rachmaninov, architect;

Arab:

- Mr F. Hazine, Director of the Waqf in Jerusalem;
- Mr Y. Natsheh, Director of the Department of Islamic Archaeology;
- Mr Y. Awad, Resident Architect of the Al-Aqsa Restoration Committee;
- Mr A. Husseini, architect of the Waqf;
- Mr K. Salameh, Director of the Al-Aqsa Library;

Except for the attempted attack on the Haram al-Sharif, few new problems have arisen as regards the safeguarding of the architectural heritage of Jerusalem since my last visit from 13 to 16 October 1983. A number of questions raised in the previous reports can be considered no longer relevant.

3. The attempted attack of the Haram al-Sharif

During the night of 26-27 January 1984, the guards at the Haram al-Sharif discovered within its precincts a batch of explosives and weapons left behind by a group of people who fled the scene. Over the next few days the Israeli police arrested twenty-seven people involved in this new attempted attack on the Islamic sanctuaries of the Haram. Mr Gabai, Director-General of the Ministry of Justice, and Mr U. Hasson, Deputy Attorney-General, gave me the following information on the state of the investigations and the legal action taken by the Israeli judicial authorities. According to this information, there was a complex and far-reaching plot aimed among other things at blowing up the mosques of Al-Aqsa and the Dome of the Rock. For this purpose, weapons and explosives had been stolen from the army. The conspiracy was in fact not

new; it appears to have begun shortly after the visit of President Sadat to Jerusalem and the intention had been to put it into effect before the return of Sinai to Egypt.

A number of factors delayed the implementation of the plot including fears on the part of some concerning the international consequences of such an act. The strengthening of the Israeli guard at the entrance to the Haram following the attack carried out by Alan Goodman on 13 April 1982 made it more difficult to execute, and there were apprehensions among the conspirators at having to shoot at Israeli soldiers. Moreover, rumours of possible attacks had led the Israeli Government to strengthen the guard around the Haram still further.

The government takes an extremely serious view of this matter. All those involved have been arrested. Two of the conspirators, who pleaded guilty, have already been sentenced - one to ten years' imprisonment, the other to sixty months. The trial of those who have not pleaded guilty will begin next September.

4. The excavations

4.1 The tunnel dug, under the auspices of the Religious Affairs authorities, beneath the Arab properties along the western wall of the Haram al-Sharif is in the same state as on my previous visit in November 1983, except for the fact that consolidation work using reinforced concrete has been carried out along three-quarters of the section dug during 1982 and 1983. This work has been supervised by the engineer N. Kidron and appears to have been solidly carried out in accordance with correct engineering procedures. It will probably be completed in two months' time. The tunnel's present length, from the arcade under the Al-Madrasa Al-Tankīziyya, is, according to Mr N. Kidron, 305 metres.

A new and very important element in this situation is the decision taken by the Prime Minister and the Minister of Religious Affairs to halt all work in the tunnel, except that required for consolidation and maintenance purposes. Following my last visit to the site, the Director-General of the Ministry of Religious Affairs had ordered a halt to the work. That order was confirmed by the Ministerial decision reported in the journal 'Haaretz' of 22 April 1984. The decision was taken following energetic representations by Mr T. Kollek, Mayor of the City, to the authorities concerned after serious damage had been detected in the Al-Madrasa Al-Manjakiyya, the headquarters of the Islamic Council of Jerusalem, which is situated above a section of the tunnel dug in 1983.

As was to be expected, the digging of the new section of the tunnel has caused movements in the mass of rubble and filling material extending to a height of some nine metres above the Roman soil level followed by the excavation. The same phenomenon had already occurred following the digging of the first part of the tunnel, which is at the root of the settlement and cracks to be found in a number of buildings constructed above, some of which form part of the fundamental Islamic heritage of Jerusalem. Of these, the Al-Madrasa Al-Jawhariyya and the Al-Kurd Hospice were the subject of comments in most of my reports in the period 1971 to 1976. I pointed out last November that movement was taking place in the Al-Madrasa Al-Manjakiyya, among other places in the great staircase and in certain walls and vaults. Since then, some of the cracks have worsened. More serious still is the collapse last April of part of the staircase; some of the steps have fallen into a hollow created by the movement

of the soil above the tunnel. The Al-Madrasa Al-Manjakiyya is situated above a widened section of the tunnel which at that point incorporates some high cisterns whose vaulting was considerably weakened and therefore constitutes a fragile infrastructure for the building above it. Since the level at which the tunnel was dug remained constant, the result is that at certain points the earth has been excavated well below the walls of cisterns. These therefore rest on banked-up rubble which, though well compacted, is cut off vertically in the plane of the walls. I noted this very dangerous situation in November 1983 and at that time issued a serious warning about it. Since then everything has been consolidated by a reinforced concrete sheathing. In my opinion, the structure of the tunnel is now solid and there is no danger of the building above it collapsing. However, it is very probable that slight movements will continue to cause cracks in the edifice for some time to come, probably for several years. The case of the Al-Madrasa Al-Jawhariyya, to which I shall return later, is a good example of such a process.

The staircase has been repaired according to correct engineering procedures and the entire building is under observation. Proposals for consolidation have already been made by Mr Kidron: they are completely inadequate from the structural point of view. In addition, they take no account of the fact that the Madrasa is a historical monument and that any work done should follow the rules prescribed for such edifices. But, from the point of view of stability and security, there appears to be no urgency. It is preferable to wait until the probable movement of the subsoil has stopped. In the interim, it would be advisable to carry out a complete expert survey of the building, and, depending on the results of such a survey possibly some temporary works. Given the importance of the building both as a monument and because of its symbolic significance (as the headquarters of the Islamic Council), I think it desirable that the survey should be carried out by a specialist engineer acceptable to both parties - the Waqf and the Ministry of Religious Affairs, which is responsible for the damage. In view of the tense atmosphere between the parties concerned, it is unlikely that an Israeli engineer would be acceptable to the Arab side. The choice of a foreign specialist would therefore seem to be the best solution. His report, describing the state of the building in detail, would serve as a reference document for the future; it should also contain whatever suggestions were necessary to ensure the stability of the building in the short term.

The idea of a survey seems to have been accepted on both the Israeli and the Waqf sides. The Israeli authorities favour the appointment of an engineer from the Technical University of Haifa. For the reasons given above, it is desirable that they should accept without delay the appointment of a foreign engineer, preferably an English speaker.

No precise chart of the tunnel, other than a partial surface map, seems to exist at present. This map does not show the location of the buildings above. Several requests have been made for a series of vertical cross-sections of the tunnel and the buildings above to be drawn. Such cross-sections would make for a better understanding of the processes taking place in certain buildings and would make it possible to identify in advance danger zones where precautionary measures should be taken. It is strongly recommended that such cross-sections be drawn up as soon as possible.

It has also been frequently suggested that those in charge of the tunnel should invite the Waqf engineers, Messrs A. Husseini and I. Awad, to inspect the tunnel and the substructure at the foot of the southern wall of the

Haram at least once a year in their company. Such an inspection would help to clarify the situation and would ease the tensions surrounding the question of the tunnel and possible extensions under the Haram. When I spoke about this question with Minister Y. Burg on 6 April 1983, I believed that the principle of such an inspection had been accepted. However, it has not been authorized at the time of writing.

It is regrettable that the tunnelling, which constitutes an excavation in the deep subsoil of Jerusalem, has not been monitored by an experienced archaeologist. While not directing the work, which is in principle regrettable and can only be condemned, he could have been responsible for recording in scholarly fashion the archaeological information yielded by the subsoil. Now that the archaeological remains exposed by the digging have been covered for ever by concrete reinforcements, whole pages of the ancient history of Jerusalem may be lost for all time.

4.2 The work on the Ophel hill is practically complete. It consisted not so much of fresh excavations as of the cleaning, consolidation and presentation to good effect of the remains of the first Jerusalem wall brought to light by Kathleen Kenyon in 1961-1967. The area excavated by her has been slightly enlarged, mainly on the land acquired during the British mandate by the Rothschild family. Professor Y. Shilo, who directed the work, confirmed to me that no fresh excavation is planned on this site. According to him the whole operation, including removal of the unstable, rubble, is coming to a close.

A system for monitoring the stability of the most critical area has been set up. Several clinometers have been installed on the slopes of the hill, which will make it possible in future to keep a check on any movements of old excavation rubble left in situ and to take action where necessary.

4.3 The second-century Roman remains at the Damascus Gate have been entirely uncovered. They can be reached beneath a concrete apron on which are laid the tiles of the small square within the walls behind the gate. New shops have been constructed and others renovated in this busy Arab commercial area. The Damascus Gate excavations were begun during the British mandate. The interiors of the flanking towers, one of which contains an Umayyad oil mill, have been cleared out over the last five years and the work is complete.

4.4 At the present time, it is to be noted that all the excavations have been halted inside and in the vicinity of the old city of Jerusalem. Except for the tunnel near the Haram al-Sharif, where work resumed two years ago after an interruption of nearly ten years, no notable excavation has been carried out since 1979. Since then, only occasional soundings connected with infrastructure or safety work have been made in the city.

For the first time, a governmental decision to halt excavations has been taken. It has the digging of the 'tunnel' in view. Furthermore, no other excavations are announced for other sites. What is new is the statement that no further excavations will be carried out on the Ophel site, where it was previously feared that a vast plan was going to be carried out in addition to the clearance work necessary for safety reasons.

5. The work on providing amenities and public areas is continuing in the old city but is proceeding more slowly than before. It chiefly comprises:

5.1 The renewal of sewers and pavings. Since November 1983 the work has been mainly taking place in the Christian quarters of the city, between the Holy Sepulchre and the Damascus Gate. As in every other part of the city, the new paving consists of slabs of natural Jerusalem stone. In several places, parts of the Roman paving discovered when the sewers were being renewed have been brought up to the present street level. Throughout the Armenian and Christian quarters, the television aerials have been removed and replaced by a cable distribution system.

5.2 The establishment of the green belt around the Wall of Süleyman the Magnificent is being completed. Work has been under way since 1968 and has consisted mainly of clearing rubble, uncovering the wall to its original height and, possibly, the rock on which it rests, planting trees and shrubs and, in the southern part where the wall runs through the City of Herod which extended well beyond the present limits, carrying out excavations described in many previous reports. All these excavations were halted several years ago except for a recent sounding between the Damascus Gate and Herod's Gate, where fragments of the glacis which protected the city wall in Crusader times have been brought to light.

6. Birkat Israel. Public works on this site, which covers the location of one of the largest open-air water cisterns of the ancient city, is at present a cause of tension between the municipality and the Waqf. The cistern was filled in at the beginning of the century and its site is now occupied by a car-park and by temporary UNRWA huts. The whole area looks extremely shabby. The Waqf, which is the owner of this site, and the municipality are in agreement over the need to do something about it since the site is in the neighbourhood of the Lion Gate used by millions of Muslim and Christian pilgrims. Talks are under way between the two parties on a project to satisfy both. As the Waqf leaders see it, it is important that property and tenure rights should in no way be called in question. They therefore consider that the plan approved by both parties must be carried out by them and at their expense. They also consider, rightly, that this work should show the inspiration of Islamic art.

7. The Al-Madrasa Al-Jawhariyya has been regularly examined by me since 1971. It will be remembered that the building, which dates from the fourteenth century, stands over the oldest section of the tunnel and its stability has been seriously impaired in recent years. The ground appeared to be stabilized but in the past few months, new movements have been observed which have caused the subsidence of a number of stone courses at the base of the wall supporting the covered passageway to Ribat Kurt. The recent ground movement caused by the digging of the tunnel, nearly ten years after the placing of permanent supports, shows how dangerous this type of work is, even when carried out with care, and how long the stabilization period can be after ground has been disturbed by excavations. This leads one to be cautious in assessing the extent of the damage caused to buildings.

The Al-Madrasa Al-Jawhariyya was given temporary strengthening a few years ago The work was carried out using a very crude technique, which although it did indeed stabilize the building, also led to extensive damage to the interior, chiefly in the upper rooms where the walls were reinforced with substantial concrete slabs to which the masonry outside was tied. Things cannot stay as they are, because this can in no way be described as the full and scientific restoration of the building that those responsible for the damage agreed to undertake. When the mayor of the city was informed of this, he decided to open talks with the Waqf and the Ministry of Religious Affairs so that the restoration can be undertaken without delay, by acknowledged specialists in co-operation with the architects of the Waqf.

8. The Citadel is one of the chief monuments of Jerusalem. It comprises elements of widely varying date, extending from the Hasmonean era to the Ottoman era. Major excavations have been carried out at various periods within the great central courtyard. The most recent were carried out in 1968-1969 under the direction of A. Amiran and A. Eytan. They brought to light many substructures, frequently of great interest from the point of view of the history of the site and the city. These remains have not been covered over but have been strengthened and partially restored. They give an appearance of clutter and seriously detract from the monumental form and indeed from the architectural comprehensibility of the Citadel. The present arrangement is thus scarcely advantageous to the building. It would be desirable for a scheme more consonant with the site to be studied and put into effect. This might be provided by a concrete platform coinciding with the original soil levels at the time of the construction of the Citadel and covering the most interesting parts of the excavations, which would still be accessible to specialists. An outline in natural materials of different colours, set into the paving of the courtyard, would give visitors to the monument an idea of its archaeological history.

9. Work on the Haram al-Sharif

9.1 Restoration work on the Al-Aqsa Mosque is continuing. The restoration of the cupola has been completed and is of very high quality. The mosaics on the great arcades and pendentives need to be consolidated and restored. It is very much hoped that the help of an expert on the restoration of ancient mosaics will be available before the work is undertaken. Expert advice is also required for the covering of the exterior of the dome with lead plates. These have been reconstituted to the original measuresments, using old lead. There is, however, no worker specialized in laying this type of covering available on site to teach local workers the techniques involved.

9.2 The restoration of the Dome of the Chain is being studied. The twelfth-century ceramic tiles have been carefully removed.

9.3 The restoration of the Golden Gate is nearing completion. The building has been cleaned and repointed with lime grouting. The work has been carried out in compliance with normal standards. It is perhaps regrettable, however, that the ancient flagstone paving should have been repointed with dark grey cement. From the technical standpoint, this is no doubt a good idea since cement mortar is more resistant, but the result is aesthetically unpleasing.

9.4 I revisited the Stables of Solomon, which are one of the most remarkable sites in the Haram al-Sharif. The derelict state of the huge underground vaults is distressing. They have been taken over by the pigeons, which are the cause of damage resulting not only from soiling by a thick layer of droppings but also from the action of harmful salts deriving from those excrements, which may eventually endanger the stones of the building.

10. The Department of Islamic Antiquities of the Waqf is pursuing the task of drawing up a systematic inventory of the Islamic monuments of the Old City. This inventory includes very exact, large-scale architectural drawings of the most outstanding buildings. Several dozen monuments have been most carefully surveyed in this way.

11. Cleaning, consolidation and conservation work has just been started at the Al-Madrasa Al-Kilaniyya, one of the most important Mameluke monuments of

the lower city. The programme of work as outlined to me by Mr Natsheh, is indicative of well-advised caution, in the absence of the specialized work-force required to embark on proper restoration work on a monument of this nature.

12. Considerable efforts have been made in recent months by Mr K. Salameh, the Director of the Al-Aqsa Library. A great many manuscripts have been microfilmed and two catalogues published. There can be no doubt, however, that the situation remains critical as regards the state of conservation of many manuscripts suffering damage from mould and insects. According to Mr Salameh, the situation is equally disquieting in other depositories in the city. No equipment or specialized staff are available locally to give the works the necessary treatment. Urgent measures are required if basic source material concerning the history of Jerusalem is to be saved. In that connection, it might perhaps be desirable to consider the possibility of bringing all the Arab manuscripts of Jerusalem together centrally in one of the buildings of the Haram, which should be equipped for the treatment and conservation of books. Given the humid conditions in all the ancient buildings on the site, the equipment required would certainly need to include an adequate air-conditioning plant. The purchase of equipment for treating the books and the training of specialized staff are both matters of great urgency. A report on the question was drawn up in April 1983 by Mr G. Brannahl, President of the International Association of Archives, Library and Graphic Art Restorers.

13. A Museum of Palestinian Folk Arts and Folklore was established in 1979 in the Islamic Cultural Centre in Jerusalem. It is being most devotedly managed by Mrs Z Husseini. Many traditional costumes and everyday objects or things used in crafts which have disappeared or are disappearing have been assembled there. The museum has no proper basic equipment and is short of specialized staff more particularly for the conservation and restoration of fabrics. The curator's task is made very difficult by the fact that the museum has no independent financial resources. There can, however, be no doubt that the establishment of this museum was timely, since the very radical changes that are at present taking place in the Arab society of Jerusalem seem likely to result, very shortly, in the disappearance of many customs, particularly as regards traditional costumes and domestic equipment. It is important for the history of Arab culture in Jerusalem that evidence of these should be preserved.

Professor R.M. LEMAIRE
4 August 1984'

IV. APPLICATION OF THE CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT (THE HAGUE, 14 MAY 1954)

10. At its 114th session, the Executive Board was informed, firstly, that Professor H.R. Sennhauser (of Swiss nationality) had agreed to carry out the functions of Commissioner-General for Cultural Property accredited to the Government of Israel and, secondly, that the steps taken with a view to the appointment of a Commissioner-General for Cultural Property to be accredited to the Governments of the Hashemite Kingdom of Jordan, Lebanon and the Syrian Arab Republic had had to be started afresh, since Professor C. Brandi (of Italian nationality) had been unable to accept the appointment. As soon as these steps have been successfully completed, the Director-General will make the necessary arrangements to enable the Commissioners-General to discharge their task at the earliest possible date.

11. In this document, the Director-General conveys to the Executive Board all the information concerning Jerusalem in his possession at 10 August 1984. He will continue to do everything within his power to ensure that the resolutions of the General Conference and the decisions of the Executive Board are put into effect and he will spare no effort with a view to the preservation of the City of Jerusalem, which belongs to the heritage of all mankind.

ANNEX

11.8 **Jerusalem and the application of 21C/Resolution 4/14**

The General Conference,

Recalling the Constitution of Unesco and its objectives relating to the preservation and protection of the world heritage of monuments of historical and scientific value,

Considering the exceptional importance of the cultural property in the City of Jerusalem, not only to the countries directly concerned but to all humanity,

Recalling all the relevant resolutions and decisions adopted by the General Conference and the Executive Board of Unesco, in particular 21C/Resolution 4/14,

Recalling that the General Conference, by that resolution, invited the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, and invited the Director-General to keep a constant watch on the execution of the resolutions and decisions concerning Jerusalem,

Having noted the report contained in document 22C/90, and in particular the report (116EX/18) submitted by the Director-General to the Executive Board at its 116th session,

Considering with consternation and concern that the Israeli occupying authorities are persisting in their refusal to apply the above-mentioned resolutions and decisions,

Noting specifically:

(a) that those authorities are continuing to carry out excavations and are undertaking civil engineering and building operations detrimental to the historical and cultural character of the Holy City,

(b) that the archaeological excavations and constructions begun and continued since 1967 are causing irreparable damage and harm to the Holy City of Jerusalem,

(c) that the Al-Aqsa Mosque is more and more seriously and gravely endangered as a result of excavations and of the acts of armed aggression that have been perpetrated against it by fanatical groups,

(d) that the objective of the establishment of Jewish colonies around the City of Jerusalem and of small Jewish religious communities inside the city is the judaization of the City of Jerusalem,

Considering further that, in persisting in their policy of annexation of Jerusalem, the Israeli authorities are deliberately refusing to abide by the decisions of the United Nations and Unesco in the matter,

Considering that the above-mentioned policy and practices, which have repeatedly been denounced and condemned by the international community, constitute a constant violation of the Charter of the United Nations, the Constitution of Unesco and the international conventions and recommendations relating to the protection of cultural property in the occupied territories,

1. *Reaffirms* the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;
2. *Endorses* decision 5.4.1 adopted by the Executive Board at its 116th session;
3. *Strongly condemns* Israel's persistent refusal to abide by those resolutions and decisions, and its policy of judaization and annexation of the City of Jerusalem;
4. *Invites* the Member States of Unesco to undertake all necessary action, by such means as they may deem appropriate, to put an end to this situation;
5. *Thanks* the World Heritage Committee for its decision to include the Old City of Jerusalem and its walls on the List of World Heritage in Danger and *invites* it to continue its activities for the protection and safeguarding of cultural property in the city;
6. *Thanks* the Director-General for the continued efforts he has made to ensure implementation of the relevant resolutions and decisions, while maintaining Unesco's presence in the city;
7. *Requests* the Director-General to keep the Executive Board informed of developments in the situation;
8. *Decides* to include this question in the agenda of its twenty-third session.

מקור:צוות אלטעב-ירדן.

תזק:3.8.84

מלמ:ירדן,הליגה-הערבית,גדה-מערבית,איגונים,בינ"ל,חרבות

====

הנדון:ירדן-פלסי-ישראל-בינ"ל/מזכיר הכע"יר מציע לצרף את הברון ל"ירשימת הערים ההיסטוריות בעולמי" בדומה לירושלים כדי לשמור על אופיה ועל אתריה ההיסטוריים והארכיאולוגיים

=====

טלטלטלטלטל

ירדן קבלה בברכה את ההצעה שהועלתה באיגרת ששלח מזכ"ל הכע"יר אלשאדילי אלקליבי לממשלת ירדן בנוגע לצירוף העיר חברון לרשימת הערים ההסטוריות בעולם (11 קאימת אלתראתי כעאלמי") בדומה לירושלים.

מזכ"ל המחלקה הכללית לעתיקות בירדן הד"ר עדנאן אלחדידי אמר כי הצעה זו תואמת את מגמת ירדן לשמור על המורשת בערי הארץ הכבושה מפני ניסיונותיה של ישראל להרחיב את ייהוד המורשת הערבית-פלסי ולפגוע בה.

בראיון לכתב סי"ק בירדן ב-2.8.84 אמר הד"ר אלחדידי כי עם צירוף חברון לרשימת הערים ההיסטוריות תידרש הקהילה הבינ"ל להגן על העיר ועל האתרים היסטוריים הנמצאים בה ולמנוע את פגיעתם ויהודם. כמו כן יהיה על הקהילה הבינ"ל לסייע לפרוייקטים לשיפוץ ותחזוקה של אתרים אלה.

הד"ר אלחדיד הוסיף כי צירוף העיר ירושלים לרשימה זו היה הישג חשוב בשמירה על העיר המקודשת.

סוף הדפסה:רונית

ק. דווח:איריס

הגהה:יעל

מעבירה:רונית

ג'ג'ג'ג'ג'

941
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**

משרד החוץ-מחלקת הקשר

שמור

אל: המשרד, נר: 60, מ: פרים
דת: ר, סג: ש, תא: 050684, רח: 1300

6.111 אונסקו

שמור /רגיל

ארבל 3

משמיר-אונסקו

עמדת הקבוצה הערבית באונסקו במשבר הנוכחי. להלן קטעים מנייר שהופץ בין חברי הועהפ' הנוסח המלא בדיף:

OTMNOUS NE POVONS A CET EGARS IGNOER L'ATTITUDE EQUITABLE ADOPTE PAR LA CONFERENCE GENERALE ET LE CONSEIL EXECUTIF A L'EGARD DU PEUPLE PALESTINIEN PERSECUTE, PRIVE DE TOUS SES DROITS ET CHASSE DE SA PATRIE..''

''..LA QUESTION DE JERUSALEM, LA PRESERVATION DE L'IDENTITE CULTURELLE DU PEUPLE PALESTINIEN, LA DARANTIE DU BON FONCTIONNEMENT DES INSTITUTIONS EDUCATIVES ET CULTURELLES DAND LES TERRITOIRES ARABES OCCUPES SONT AUTANT DE QUESTIONS QUI NE PEUVENT ETRE SEPAREES DE LA REALITE, C'EST 'A'DIRE DE L'OCCUPATION DE LA PALESTINE PAR L'ARMEE ISRAELIENNE ET LA PRIVATION DU PEUPLE PALESTINIEN DE L'EXERCICE DE SES DROITS LEGITIMES, NOTAMMENT DANS LE DOMAINE DE LA CULTURE ET DE L'ENSEIGNEMENT..''
''..AU COURS DE LA MEME SESSION DE LA CONFERENCE DENERALE ,A LA SEANCE DU 21 JUIN 1951... LE CHEF DE LA DELEGATION ISRAELIENNE S'EST ELEVE AVEC VIGUEUR ET ARROGANCE CONTRE LA DECISION DU CONSEIL EXECUTIF QUI AVAIT RECOMMANDE L'ADMHSSION DE LA REPUBLIQUE FEDERALE D'ALLEMAGNE COMME MEMBRE DE L'UNESCO ET SON INTERVENTION ETAIT FONDEE SUR DES CONSIDERATION POLITIQUES..''

תפ: שהח,מנכל,ממנכל,אליאב,ארבל3,רובינשטיין,ר/מרכז,ממד,
מינרבי

שיתוף מידע שוטף יבש

2295

נבנס בלמ"ס

אל: המשרד, נד: 225, מ: פריס
דח: ד, סג: ב, תא: 110584, וח: 1800

יום אוסקו

בלמס/רגיל

אל: ארבל 3

מאת: שמיר- אונסקו

הועד הפועל. בניגוד לצפיות הדיונים המוקדמים מתנהלים על מי מנוחות.
א. המנכ"ל בדוח שלו הבטיח לשפר את פעולות הארגון בתחומים שונים. עמד על הצורך לייעל ולחסוך. מבטיח דארגון המוכירות והנהגת שיטות נאותו בגיוס עבודים וניהול מנגנון, יסתייע בוה באישים מחוץ לאונסקו. בן מבטיח פיוור וחלוקת סמכויות חדשה, כולל מנוי משנה למנכ"ל.

ב. חברי הועד הפועל שנטלו עד כה רוכות הדיבור בתגובה לדוח המנכ"ל שיבחו את הפתיחות שלו ורצונו בשיפורים. אפילו בפי שגרירת ארה"ב היו שבחים, אם כי הדגישה שמצפה למעשים ולא רק שינוי סגנון.
ג. המנכ"ל בדוח שלו מתייחס להחלטת הועידה הכללית האחרונה בענין מורשת התרבות בירושלים. מציין שהטיל שוב שליחות על פרופ' למייר. מדווח על הפניות בענין אוניברסיטת ביר זית ותגובותינו. כן מדווח על פניות בענין נסיון ההתנקשות בהר הבית.

ד. בין הנואמים עד כה רק נציג סודן הביע תקוה שמהנ"ל ימשיך לעקוב אחר הנושאים שבסעיף ג'.

ה. דו"ח המנכ"ל בדיפ'.

שמיר

משרד החוץ-מחלקת הקשר

=====

תפ: שהח,מנכל,ממנכל,אליאב,ארבלז,ורד,שמחים,מתאמשמחים,
ר/מרבו,ממד,שגב/ממחינוך

ו-ם ארונסקו

111.6 אלמן 13

AMBASSADE D'ISRAËL

שגרירות ישראל

פאריס, ל ביסן התש"מד
2.5.84
מס 930

אל: מנהלת ארבל 3
מאת: הנציג הקבוע ליד אונסקו

הנדון: איגרת סעודית בקשר לירושלים
מכתבך מ-24.4.84

רצ"ב העתק תשובתי למנ"כל אונסקו בעניין
האיגרת הנ"ל.

בברכה,

מאיר שמיר

העתק גב' יורק-יולס תשרת

DÉLÉGATION PERMANENTE
D'ISRAËL
AUPRÈS DE L'U.N.E.S.C.O.

Paris, le 2 mai 1984

Ref/929

Monsieur le Directeur-Général,

J'ai bien reçu copie de la lettre datée du 29 février 1984 du Délégué permanent de l'Arabie Saoudite, transmise selon vos instructions par lettre N° CLT/CH/01/308/18 du 4 avril 1984.

Au sujet de cette communication nous voudrions formuler les observations suivantes:

A la suite de la tentative de pénétration au Mont du Temple, les autorités compétentes du Gouvernement d'Israël ont immédiatement commencé une enquête extensive. En effet les suspects ont été arrêtés après quelques jours et le document d'accusation a été dûment soumis à la justice.

Selon les renseignements dont on dispose aujourd'hui, il s'agit d'un groupuscule d'illuminés.

Le sujet étant actuellement "sub judice", il faudra attendre que la justice se prononce et je ne manquerai pas de vous informer du déroulement de cette affaire et du verdict lorsqu'il sera prononcé.

Je vous prie d'agréer, Monsieur le Directeur Général, l'assurance de ma haute considération.

Meir SHAMIR
Ministre Plénipotentiaire
Délégué Permanent d'Israël
auprès de l'UNESCO

Monsieur Amadou-Mahtar M'BOW
Directeur Général
UNESCO

אונסקו

שמור

בהול

III.G אונסקו

בדצמבר 1980 או 1981 התקיים באונסקו סמינר על ירושלים והאסלאם מטעם הועידה המוסלמית. בסיומו פורסמה מודעה בתשלום בלה מונד ובעתונים אחרים הקובעת שאל קודס היא בראש ובראשונה ערבית ומוסלמית. נודה אם תשלח בדרך המהירה ביותר 10 צילומים של המודעה. אם ישנו גם טקסט באנגלית - אנא שלח.

ורד- הסברה
(תואם)

2.5.1984 יעל ורד

לר אונסקו

כ"ב בניסן תשמ"ד
24/4/84

אל: מר מ. שמיר, הנציג ליד אונסק"ו פריס

מאת: מנהלת ארב"ל 3

III.6 אונסקו

הנדון: איגרת הסעודית בקשר לירושלים

להלן הצעתנו בקווים כללים בתשובה לאיגרת הנ"ל:

"מיד אחרי הנסיון הפריצה להר הבית שנכשל החלו השלטונות המוסמכים של ממשלת ישראל בחקירה מקפת, ואמנם החשודים נעצרו וכתב האישום נגדם הוגש לבית המשפט. לפי הנתונים הידועים לנו עתה המדובר בקבוצה חימהונית illuminés

הענין כעת סוביודיצה ותשמח להעביר למנכ"ל פרטים בבוא העת וכן פסקי הדין כאשר אלו יינתנו ע"י בית המשפט."

כן ממליצה שתשקול אם לבקש שהמנכ"ל יפיץ את המכתב בין חברי ועד הפועל כפי שעשו זאת הסעודים במכתבם.

יעל ורד מבקשת שתוסיף בע"פ שב-1981 נתפסה הקעאבה ע"י קוצה גדולה וחמושה שבראשותה עמד אדם שהוא והמאמינים בו ראו בו משיח.

לממשלת סעודיה נדרשו כמה ימים של להימה כדי לשחרר את הקעאבה. במהלך הלוחמה נהרגו ונפצעו אנשים רבים.

ב ב ר כ ה,

א.מ. למברט

א.מ. למברט-פינקלר

[illegible]

כ' בניסן התשמ"ד
22 באפריל 1984

ש מ ו ר

III.6 אונסקו
III.4 קוסטה ריקה

אל: מר מאיר שמיר, הנציג לאונסק"ו

מאת: הגב' יעל ורד, יועצת לשה"ח

הנדון: האב נוניס - ביקור בירושלים

האב נוניס ניצל את חופשת הפסחא לביקור בירושלים האהובה עליו. בפגישה בביתו של שגריר קוסטה-ריקה כאן ביקש מאוד להיות מעודכן בענייני ירושלים ובמיוחד בכל הנוגע לענייני ירושלים ואונסק"ו.

סיפרתי לו על התלונה ששלחו הסעודים בשם מדינות ערב למנכ"ל אונסק"ו ועל התשובה שבדעתנו להשיב עליה. נוניס ביקש לקבל גם את החומר וגם את התגובה כדי שיהיה מעודכן בעניין זה.

בשל סיבות ידועות הוא איננו היום השגריר לאונסק"ו וגם לא חבר הועד-הפועל, אולם הוא המושך בחוטים והוא הדואג כי קוסטה-ריקה תציג עמדות פרו-ישראליות מובהקות בעיקר בעניין ירושלים. חזר וביקש שנדאג לספק לו תחמושת בנושא זה.

ב ב ר כ ה,

יעל ורד

העתק: מנהלת ארב"ל 3

[illegible]

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[illegible]

[illegible]

יו"ל - אונסקו

7, place de F
téléphone : nati
inte
télégrammes : U
télex : 204461 P

référence : CL

AMBASSADE D'ISRAËL

שגרירות ישראל

פריס, ד ביסן התש"מ

6.4.84

מס 897

אל: מבהלת ארבל 3

מאת: הבציג הקבוע ליד ארבסקו

הנדון: תלונת נציג ערב הסעודית בשם הקבוצה הערבית

מצ"ב העתק מכתב קבורה מיום 4.4.84 עם מכתב הנ"ל בענין בטיון ההתנקשות בהר הבית.

Monsieur

שימי לב לבקשה להעלות את הנושא בועד הפועל.

concernan
l'Arabie
de l'Unes

ב ב ר כ ה,

מאיר שמיר

des obser
communica

ma consid

העתק: מר פ. אליאב, ראש אגף ארבל

Monsieur Méir SHAMIR
Ministre plénipotentiaire
Délégué permanent d'Israël auprès de l'Unesco
Ambassade d'Israël
3, rue Rabelais
75008 PARIS

UNESCO

united nations educational, scientific and cultural organization
organisation des nations unies pour l'éducation, la science et la culture

7, place de Fontenoy, 75700 PARIS

téléphone : *national* (1) 577 16 10
international + 33 1 577 16 10
télégrammes : Unesco Paris
télex : 204461 Paris

référence : CLT/CH/01/308/14

4 AVR. 1984

Monsieur le Délégué permanent,

J'ai l'honneur de vous transmettre ci-joint copie d'une communication concernant Jérusalem, en date du 29 février 1984, que le Délégué permanent de l'Arabie saoudite a adressée au Directeur général, au nom du groupe arabe auprès de l'Unesco.

Le Directeur général vous serait reconnaissant de lui faire part des observations que votre Gouvernement souhaiterait formuler au sujet de cette communication.

Je vous prie d'agréer, Monsieur le Délégué permanent, l'assurance de ma considéraration la plus distinguée.

p. John B. Kaboré
Sous-Directeur général p.i.
Secteur pour la coopération en vue
du développement et les relations extérieures

Monsieur Méir SHAMIR
Ministre plénipotentiaire
Délégué permanent d'Israël auprès de l'Unesco
Ambassade d'Israël
3, rue Rabelais
75008 PARIS

GROUPE ARABE
U.N.E.S.C.O
1, RUE MIOLLIS
PARIS 75732 CEDEX 15

LE PRÉSIDENT

المجموعة العربية
لدى اليونسكو

الرئيس

Paris, le 29 FEVRIER 1984

Monsieur le Directeur Général,

Au nom du groupe arabe auprès de l'UNESCO qui m'a mandaté à cet effet, j'ai l'honneur de vous saisir de la situation particulière de la mosquée d'El Aqsa à Jérusalem qui a fait l'objet d'une tentative de destruction par explosif.

Dans la nuit du 27 Janvier 1984, un groupe de nervis a tenté de pénétrer dans le sanctuaire du Haram Al-Sharif pour le détrui au moyen d'explosifs, alors que des fidèles y pratiquaient la prière d'Al Fajr.

Grâce à la vigilance des veilleurs de nuit, cette tentative de destruction criminelle qui aurait tourné à la catastrophe, a pu être déjouée de justesse.

Les auteurs de cette ignoble tentative criminelle, dont la fuite a été remarquée par plusieurs témoins, ont abandonné sur l'esplanade du sanctuaire 19 grenades, 13 kilos d'explosifs, des échelles et des cordes...

De l'aveu même de la police des autorités israéliennes d'occupation, ces explosifs proviennent d'un stock d'armes de l'armée israélienne.

.../...

En outre, selon les gardiens de la Mosquée, des assaillants étaient armés de fusils mitrailleurs de marque "UZI" dont est équipée l'armée israélienne.

Cette tentative criminelle s'inscrit dans le cadre d'une action concertée et méthodiquement élaborée depuis 1967 visant à détruire les vestiges islamiques de la ville d'El Qods, en particulier la Mosquée Al-Aqsa.

Elle fait suite à une série d'actes criminels déjà perpétrés, notamment l'incendie d'une partie de la Mosquée en 1979 et l'attentat contre cet édifice et des fidèles commis en 1982 par un soldat israélien.

Tous ces actes confirment, s'il en était encore besoin, que la ville d'El Qods en général, et ses monuments historiques culturels et religieux musulmans et chrétiens en particulier, sont en péril et que, sans une action énergique de la communauté internationale, et de l'UNESCO en particulier, l'objectif criminel visé ne manquera pas d'être définitivement consommé tôt ou tard.

L'inscription de la ville de Jérusalem sur la liste du patrimoine culturel mondial à elle seule ne saurait suffire pour déjouer ces plans et juguler ce danger, dont les autorités israéliennes d'occupation assument l'entière responsabilité.

Me référant aux résolutions pertinentes de la Conférence Générale en la matière, et notamment à la résolution 22/C/11.8, j'ai l'honneur de vous prier de bien vouloir :

1 - Informer les Etats Membres de l'UNESCO de cette situation ;

2 - Faire procéder à toutes enquêtes et investigations nécessaires à ce sujet ;

.../...

3 - Soumettre cette question au Conseil Exécutif à l'une de ses prochaines sessions, afin qu'il prenne les mesures appropriées que requiert la gravité de cette situation.

Je vous saurais gré de bien vouloir m'informer de la suite que vous comptez réserver à cette requête.

Veuillez agréer, Monsieur le Directeur Général, l'assurance de ma haute considération.

S. BAWAZEER
DELEGUE PERMANENT
DE L'ARABIE-SAOUDITE

PRESIDENT

Monsieur Amadou Mahtar M'BOW
DIRECTEUR GENERAL DE L'UNESCO
MAISON DE L'UNESCO

ארכיון בינ"ל

כ-3 84

ירושלים, 29.8.88

טיוטת תשובה לשאילתה 3185 של ח"כ גאולה כהן

לשאלה מס' 1:

אונסקו לא פנה למשה"ח בבקשה להפסיק את חשיפת הכותל.

לשאלה מס' 2:

העבודות עמדו להסתיים ממילא כיון שהחופרים הגיעו לסלע הטבעי שלאחריו אין כל אפשרות להמשיך בעבודות חפירה וחשיפה. במהלך עבודות החפירה נתגלו סדקים באחד הבנינים שמעל למנהרה. לא ברור אם אלו נגרמו בגלל החפירה או מסבות אחרות. מהנדס עירית ירושלים למבנים מסוכנים התריע על הסכנה למבנה שה העלולה לסכן גם את יושביו ומבקריו. בעקבות זאת היו פניות מטעם ראש העיר ומשרד החוץ במטרה למנע סכונים מסוג זה.

לשאלה מס' 3:

ראי נא התשובה בסעיף 1.

לשאלה מס' 4:

משרד החוץ מנהל בקביעות פעילות הסברתית ומדינית עניפה בענין ירושלים בבירות בהן אנו מיוצגים, בארגונים ביל ובקרב הנציגים לועידות אונסקו. פעולה זו הביאה לידי כך שבועידה הכללית ה-22 של אונסקו שהתקיימה בנובמבר 1983 בפאריס שרק כשליש מהמדינות החברות באונסקו תמכו בהחלטה הערבית בנושא ירושלים. נציגי המדינות המערביות התנגדו, נציגים מאסיה ואוקיאנה ואמל"ס נמנעו. נציגים אפריקנים נעדרו העדרות מכוונת. בפעילות הסברה זו הסתייעו נציגינו בדוחותיו החיובים של פרופ' למייר, נציגו האישי של מנכ"ל אונסקו.

[illegible], 28.8.02

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[illegible] 1:

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ירושלים, 29.3.88

טיוטת תשובה לשאילתה 3185 של ח"כ גאולה כהן

לשאלה מס' 1:

אונסקו לא פנה למשה"ח בבקשה להפסיק את חשיפת הכותל.

לשאלה מס' 2:

העבודות עמדו להסתיים ממילא כיון שהחופרים הגיעו לסלע הטבעי שלאחריו אין כל אפשרות להמשיך בעבודות חפירה וחשיפה. במהלך עבודות החפירה נתגלו סדקים באחד הבנינים שמעל למנהרה. לא ברור אם אלו נגרמו בגלל החפירה או מסבות אחרות. מהנדס עיריית ירושלים למבנים מסוכנים התריע על הסכנה למבנה שה העלולה לסכן גם את יושביו ומבקריו. בעקבות זאת היו פניות מטעם ראש העיר ומשרד החוץ במטרה למנע סכונים מסוג זה.

לשאלה מס' 3:

ראי נא התשובה בסעיף 1.

לשאלה מס' 4:

משרד החוץ מנהל בקביעות פעילות הסברתית ומדינית עניפה בענין ירושלים בבירות בהן אנו מיוצגים, בארגונים ביל ובחוץ הנציגים לועידות אונסקו. פעולה זו הביאה לידי כך שבועידה הכללית ה-22 של אונסקו שהתקיימה בנובמבר 1983 בפאריס שרק כשליש מהמדינות החברות באונסקו תמכו בהחלטה הערבית בנושא ירושלים. נציגי המדינות המערביות התנגדו, נציגים מאסיה ואוקיאנה ואמליס נמנעו. נציגים אפריקנים נעדרו העדרות מכוונת. בפעילות הסברה זו הסתייעו נציגינו בדוחותיו התיובים של פרופ' למייר, נציגו האישי של מנכ"ל אונסקו.

[illegible], 28.8.85

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ירושלים, 29.3.88

טיוטת תשובה לשאילתה 3185 של ח"כ גאולה כהן

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משרד החוץ הביא להפסקת עבודות חשיפה ליד הכותל

3.11.83

שליח אונסק"ו התריע מפני סדקים בבנין הוואקף

מאת נרב שרנאי
סופר „הארץ"

עבודות חפירה, שביצע משרד הדתות באזור הכותל, מתחת לבנין הוואקף המוסלמי, הופסקו שלשום בהתערבות מנכ"ל משרד החוץ דוד קמחי. אתמול ביקרו בשטח מפקד המחוז הדרומי של המשטרה, ניצב יהושע כספי, חנ"ץ רחמים קחסורט, מנכ"ל משרד הדתות הרב משה סלומון ופקידים בכירים נוספים. הם ביקשו לוודא, שהעבודות אכן הופסקו וקיבלו הסברים בדבר סדרי הבטחון והבטיחות במקום.

ראש עיריית ירושלים טדי קולק פנה באחרונה בכתב לראש הממשלה בבקשה להפסיק את העבודות, שלדבריו אינן כביאות לדעתו כל תועלת. שר הפנים והדתות ד"ר יוסף בורג הביע בפירוטים שונים את דעתו שיש להפסיק את העבודות. הוא ביקש מאנשי משרדו לבדוק תלונות של הוואקף ואישים ערבים הגרים בעל לאתר החפירות, בדבר נזקים הנגרמים ליסודות בתיהם.

לפני כשבועיים ביקר במקום שליח האישי של נשיא אונסק"ו, פרוספסור רימונד למר. במהלך הביקור הלך למר שבחים לפרוייקט, אך הצביע על סדק מתחת לרצפת בנין הוואקף המוסלמי. למר סען, כי הדבר ארע בשל החפירות. בעקבות הביקור פנה בכתב מנכ"ל משרד החוץ דוד קמחי למנכ"ל משרד הדתות, הרב משה סלומון, והמציר בי להפסיק מיד את העבודות. כמה ימים לאחר מכתבו של קמחי הורה השר בורג עצמו לסלומון להפסיק את העבודות וההוראה בוצעה.

„פרוייקט השיפת הכותל", שכלל גם אזורים סמוכים לו, התנהל שנים ארוכות באין מפריע. רק לאחר סדרת הכנרה, שחשף רב הכותל הרב גץ, לפני כשנתיים, הן הופסקו לפי סדר זמן קצר. חדישן נעשה בהשאי ונעשה משרדוסקי לתבצעים במקום רק עבודות חיזוק ותמיכה חיוניות.

הכנסת

חבר הכנסת
ב א ו ל ה כ ה

ג' כסלו תשמ"ד
8.11.83

003185

ש א י ל ת א

אל: שר החוץ
מאת: ח"כ באולה כהן

הנדון: הפסקת עבודות חשיפת הכותל המערבי

לפי ידיעה שהתפרסמה ב"הארץ" מיום 3.11, אני למדה שמשרד החוץ עשה למען הפסקת עבודות חשיפת הכותל המערבי שבוצעו משך שנים רבות על-ידי משרד הדתות. לפי הידיעה התערבותו של משרד החוץ היתה לאחר פניה מטעם ארגון אונסק"ו שבעבר הכריז הצהרות אנטי-ציוניות מובהקות. אודה לכבוד השר אם יואיל להשיב ליז:-

1) האם אמנם עבודות חשיפת הכותל המערבי הופסקו בהתערבות משרד החוץ לאחר פניה מארגון אונסק"ו?

2) מהן הסיבות שעבודות אלה הופסקו?

3) מתי התחדשנה עבודות החשיפה?

4) לאור הלשנות והצהרות אנטי-ישראליות ובפיוחד שלשון ישראל בירושלים של ארגון אונסק"ו בעבר, מה עושה משרד החוץ בתחומי השברה ואחרים כדי להדוף התקפות אלה?

בכבוד רב,

ח"כ באולה כהן

ר' שלמה

ט' בחשון תשמ"ד
16 באוקטובר 1983

דק/914

אל : המנהל הכללי, משרד הדתות

הנדון: <u>הפירת מנהרת מתחת להבין מנהלת הווקף</u>

1. ר"ב מכתב בלושא הנדון שנוסביר את עצמו.

2. אודה אם תוכל להודיעני שמשרד הדתות מורת על כך שהחפירות ייפסקו כדי שנוכל לאמר זאת רשמית לפרופ' להמייר.

ב ב ר כ ת ,

דוד קמחי

הנדון: ירושלים - חפירת מערה מתחת לבנין מנהלת הווקף

פרופ' להמייר, בציגו האישי של מנכ"ל אונסק"ו יגיע ארצה ב-13.10.

מאז 1971 מבקר פרופ' להמייר בירושלים. דוחותיו היו אובייקטיביים וסייעו לנו הן באונסק"ו והן בדעת הקהל העולמית ובקרב בציגי מדינות ידידותיות לדחות את השמצות הערבים וידידיהם.

פרופ' להמייר נוהג לבקר ולדווח, בין השאר על המערה שחופר משרד הדתות לאורך הכותל המערבי מדרום לצפון.

לאחר בקורו של פרופ' להמייר במערה ביומי השבה, הגיע למסקנה כי הן פוגעות בבנין מנהלת הווקף שמעליהן. נאמר לו אז על ידי הנוגעים בדבר כי החפירות לא יימשכו כיון שהחופרים הגיעו עד לסלע והוא דיווח על כך לועה"פ של אונסק"ו.

עתה מתברר לנו כי משרד הדתות המשיך בחפירה. לדעת מהנדסי עיריית ירושלים חפירה זו מערערת בצורה מסוכנת את בנין מנהלת הווקף. בבנין עצמו בפערו סדקים ההולכים ומתרחבים והמדרגות המוליכות אליו - שוקעות ועלולות להתמוטט. בנוסף לעובדה שבנין זה הוא מושב הווקף, הוא במצא במבנה עתיק מהמאה ה-14 שהנו בכס תרבותי, וארכיטקטוני חשוב.
אין ספק שפרופ' להמייר ידווח על כך. הדבר יעורר הד שלילי ברחב אצל ידידים ובדעת הקהל, ולא יאפשר לנו למנע הצטרפות המערביים להצעות החלטה חריפות בענין ירושלים.
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שר הדתות הוא האחראי מבחינה מינהלתית לחפירות הללו. נראה לי כי בשלב זה רצויה התערבות של חה"מ ושה"ח אצל השר האחראי כדי להבטיח שהחפירות אמנם ייפסקו וכי הדבר ייאמר רשמית לפרופ' להמייר.

בברכה,

יגאל ורד

טל' 235111 (02)

הקריה, רוממה ירושלים 91 950

מדף 1041/2

[redacted]

ג' בחשון תשס"ד
10/10/83

אל: שר השרון
המנכ"ל

מאת: יעל ורד

הנדון: ירושלים - חפירת מערה מתחת לבנין מנהלת הווקף

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בברכה,

יעל ורד

ירושלים

ראש העיר
رئيس البلدية
MAYOR OF JERUSALEM

ירושלים., ד' בחשון תשמ"ד
11 אוקטובר 13
מס' 1000

לכבוד
מר יצחק שמיר
ראש הממשלה
הקריה בן גוריון
ירושלים

כבוד ראש ממשלה,

הנדון: תכנהרת לאורך הכותל המערבי

ברצוני לברך אותך בשמי ובשם תושבי ירושלים ולאחל לך הצלחה בתפקידך הקשה והאחראי מול הבעיות הלאומיות התמורות בתחומים הכלכליים החברתיים והמדיניים.

מחובתי להביא בפניך בעית חמורה שמחייבת את התערבותך המיידית על מנת למנוע נזק מדיני למדינה בפורומים בינלאומיים.

כידוע לך עורך המשרד לעניני דתות מאז שנת 1976 חפירות לאורך הכותל המערבי מדרום לצפון. תוך כדי החפירות נתגלו חללים ואולמות ממערב לכותל, עפ"י דעת אנשי המקצוע חפירות אלה גרמו להיווצרות סדקים ובזקים בבנינים שמעל לשטח החפירות, בעיקר בבנינים הנמצאים ברובע המוסלמי שמעל לשטח המצויין לעליל.

בעקבות חפירות אלו קמה סערה צבורית שהתעוררה סביב נושא זה בארץ ובעולם ובין השאר הועלה הנושא לדיון במוסדות אונסקו פעמים מספר, תוך קבלת החלטות המגנות פעולות אלה. עקב מתאות אלה ביקר בארץ פרופ' לאמייר מאונסקו פעמים אחדות ובכל ביקור מוכסח לו ע"י שר הפנים, ד"ר בורג, ונציגים רשמיים שהחפירות לאורך הכותל תפסקנה. בפגישתנו עם שר הדתות הד"ר בורג, סוכם והובטח כי חפירות אלה תפסקנה לאלתר וכמי היודע לי גם ניתנו הוראות והנחיות על ידו בהתאם. מסתבר שעל אף כל זאת נמשכו ונמשכות החפירות במנהרה עד היום הזה.

בימים אלה אמור פרופ' לאמייר לחזור לביקור בארץ (13-17 אוקטובר) לקראת ביקורו נערך סיור מקדים של אנשי העיריה, משרד הדתות וארכיאולוג המחוז במנהרה הסמוכה לכותל. בסיור זה הוברר שעבודת החפירות נמשכת מערבים לכותל ללא תיאום עם ארכיאולוג המחוז שלדבריו אין חפירות אלה מוסיפים כל ידע בעל ערך מדעי. החפירות האחרונות נעשו מתחת לבית המג'לס בו נמצאים משרדי הווקף המוסלמי. בנין זה הינו מבנה ממלוכי מהמאה ה-14 בעל ערך ארכיסקטוני ומדעי מן המעלה הראשונה. בעקבות חפירות אלו שקעו מדרגות המבנה ונבעו סדקים בבנין. מיותר לציין את מורת רוחם וכעסם של אנשי הווקף היודעים על החפירות המתמשכות ודאגתם הבלתי פוסקת לשלמות הבנין. חרדה זו אינה מוסיפה לשקט ולרגיעה בעיר ומחובתנו לעשות הכל על מנת לתקן ולחזק הבנין ולהפסיק מידית החפירות בחללים שמתחת לכותל.

אין ספק שבביקורו הקרוב של פרופ' לאמייר לקראת ועידת אונסקו וסיורו בחפירות אלה תתעוררנה הבעיות שניתן למנען רק בהתערבותך המידית.

בברכה,

טדי קולק

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אין

אין ירושלים

אין

MINISTRY OF FOREIGN AFFAIRS
JERUSALEM

משרד החוץ
ירושלים

טז' באדר ב' תשמ'ד
20 במרץ 1984

א ל : השגרירות, פאריס, לונדון, רומא, בריסל, האג
שטוקהולם, קופנהאגן, ברן, וינה, אתונה, אוסלו
ליסבון, מר ש. הדס, מדריד, הקונכ'ל שטרסבורג

מאת : יעל ורד

הנדון: ועדת החינוך והתרבות של מועצת אירופה

רצ'ב חומר אונסקו על ירושלים
שהוכן לחברי הועדה הנ"ל לקראת סיורם בעיר העתיקה.

ב ב ר כ ה ,

יעל ורד
יועץ לשה'ח

ישראל
ISRAEL
שנת הגבורה

MINISTERE DES AFFAIRES ETRANGERES
JERUSALEM

משרד החוץ
ירושלים

Jerusalem, March 19, 1984

JERUSALEM IN UNESCO
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Like most of the world's cities, Jerusalem is constantly changing. Major changes have occurred ever since the foundation of the State of Israel but the process has speeded up considerably since 1967.

Since August 1981, the date of my last mission, there has been little change worthy of note in the general landscape of the city. A number of high-rise buildings in course of construction for several years have been completed. They are all in the Israeli part of Jerusalem at a good distance from the old city. Their silhouette blends with that of the tower blocks constructed in previous years.

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The principal public works projects in the historic city are: reconstruction of the drainage system and water and electricity conduits, resurfacing of streets and squares, improvement of public lighting, renovation of shop fronts, improvements in the outer precincts of the ramparts, removal of the heaps of refuse within the ramparts and removal of television aerials. The restoration and reconstruction of the Jewish quarter in the historic city fall into a different category since, unlike the rest of the city, this sector was seriously damaged during the 1948 war.

These schemes were initiated in 1969. They have been carried out in stages since then, depending on the availability of funds.

Three-quarters of the work on reconstruction of infrastructures

(sewers, water conduits, electricity distribution cables) has been completed, according to Mr. Yaacovi, President of East Jerusalem Development Ltd., the entity responsible for carrying out the work. In my previous reports from1976 onwards, I have stressed the need for these works, since the old drainage system was manifestly incapable of accommodating the sharp increase in water consumption.

The effectiveness of the new drainage system is borne out by the fact that some of the basements of building which were regularly flooded previously are now permanently dry.

More than 4,500 metres of streets have been resurfaced and work is in progress on another 1,500 metres. The vast majority of these projects are in the Muslim and Christian quarters.

Resurfacing of the streets

Before resurfacing work was started, the streets of Jerusalem were paved with many different materials: remains of paving from different periods and especially bituminous products. The street surface, which was generally in poor condition, has been preserved in parts of the city where reconstruction work has not yet begun. Elsewhere it has been destroyed by the major public works. The new surface consists of paving slabs in natural Jerusalem stone,laid in a fine simple design. Only the paving of the "Via Dolorosa" is some-what more complex: the sites of the "stations" of the Way of the Cross are marked on the ground by semicircles made of stone of the same kind and unit shape as the rest of the pavement.

Here and there, fragments of the old paving found at a lower level have been incorporated in the new surface, especially opposite the Convent of our Lady of Zion and on the Christian Quarter Road in the vicinity of the Holy Sepulchre. Naturally, for Christians these stones, which may have been trodden by the procession to Golgotha in the year 33 of our era, are extremely moving relics.

Technically speaking, the work seems to have been well executed,' aesthetically, it gives an impression of judicious restraint.

Reconstruction of the ramparts

Since 1969 reconstruction work has been in progress in the outskirts of the ramparts built by Suleyman the Magnigicent between 1537 and 1541. I have described this work in its successive stages in my numerous previous reports. The project has now been completed. It consisted of:

uncovering of the base of the rampart where it had been concealed by heaps of earth or rubble;

uncovering of the remains of previous Hasmonean, Roman or Crusader walls where they were sufficiently well preserved, especially in places along the western and southern fronts;

uncovering of remains of the Herodian and Byzantine city where the wall built in the sixteenth century cuts across parts of the ancient urban areas, the city having been much larger than today before its destruction by Titus in the year 70 of our era;

landscaping (planted areas and walks) of the zone between the rampart and the various roads skirting the historical city;

conversion of the expanse in front of the Damascus Gate, the main entrance to the old city, into a public sqaure.

The final project carried out in the last two years has been the construction of a protective iron railing all along the walk at the top of the inner face of the rampart. The walk has thus been made accessible to tourists between St. Stephen's Gate in the east and the Dung Gate in the south. Only the portion of the rampart which merges into the southern and eastern wall of the Haram al-Sharif is not included in this long promenade from which one can see the changing landscape of the old city, since the level of the rampart walk isgenerally higher than that of the houses.

According to history books on Jerusalem dating from before 1948, the Jewish population of the city has lived in the district as a matter of prefence since the sixteenth century. At the beginning of this century, it contained a relatively large number of synagogues and yeshivas. The city's two major Ashkenazic and Sephardic synagogues, the "Nissam Bak" and the "Hurva", have long been established there. Both were reconstructed in the mid-nineteenth century and were destroyed in 1948.

In all my previous reports I have discussed the works carried out in this part of the city during the past twelve years. It has consisted mainly of:

the restoration, reconstruction or renovation of ruins of buildings noted for their architectural, historic or religious value;

the restoration of old houses which remained intact during the war and the subsequent demolitions;

the construction of a large number of new houses;

the restoration and development of public areas;

the restoration, renovation and partial reconstruction of the part of the old "Cardo" traditionally separating the Jewish Quarter from the Armenian Quarter;

major excavations conducted by Professor Avigad.

All these projects have been completed or are close to completion.

Overall urban development plan

The general structure of the Jewish Quarter remains broadly unchanged compared with the past.

As far as the general layout, the nature and proportions of open spaces and the form and scale of volumes are concerned, the reconstruction of the Jewish Quarter fits in well with the urban fabric of the old town. The treatment of open spaces, street paving, public lighting, urban facilities, etc. is similar to that adopted in the other quarters of the city. Here and there archaeological remains uncovered during the reconstruction and restoration work or during excavation have been displayed.

Excavations

The "Mazar" excavations near the Haram al-Sharif

There have been no noteworthy new excavations on this site since my last visit in August 1981. Excavations have actually ceased since 1977.

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These excavations are continuing and have been extended since 1981. It may be recalled that the original purpose of the work was to clear away the archaeological fill which had accumulated on the hillside following the excavations carried out in the area - which is the cradle of the city - for over sixty years, the last having been directed by the British archaeologist Kathleen Kennyon in 1967 and 1968.

Some of the excavations in the City of David are situated on land purchased by the Rothchild family before 1914 and granted by it to the Municipal Council of Jerusalem.

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Excavations have been carried out in the Citadel since the British mandate period, the most recent being in 1968-1969. The site has lately been reopened as part of the complete reshaping of the building, which houses the Jerusalem municipal museum. Already documented remains dating from the Hasmonean and Herodian periods have been brought to light again.

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No excavations are in progress in this quarter. On the other hand, the enhancement of the most noteworthy remains uncovered during previous excavations has almost finished. These archaeological remains are preserved, for the most part, under reconstructed buildings, and are open to the public. Their presentation is scientific and tasteful.

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The Al-Aqsa Mosque

Restoration work is going on normally. Restoration of the plaster decoration is almost completed. The result is remarkable. The outside of the dome will soon be re-covered. The aluninium sheeting will be replaced by lead, the material originally used. For this purpose, the lead from the cupola of the "Dome of the Rock" removed a quarter of a century ago, has been melted down and rolled out into sheets on the spot. Mr. I Awad, who is in charge of this work, spoke to me once more of his determination to preserve all the elements of the decoration dating from the Crusades.

(2)

Item 60 of the agenda: Jerusalem and the application of 21 C/Resolution 4/14

21. The Commission recommended, by 64 votes to 15, with 15 abstentions, that the General Conference adopt 22 C/COM V/DR.2 (Madagascar, Algeria, Niger, Mozambique, Togo, Sudan, Guinea-Bissau, Morocco, Jordan, Tunisia, Kuwait, Iraq, Libyan Arab Jamahiriya, Lebanon, Yemen Arab Republic, United Arab Emirates, Oman, Syria, Somalia, Qatar, Afghanistan, Bangladesh, Islamic Republic of Iran, and Pakistan):

Jerusalem and the Application of 21 C/Resolution 4/14

The General Conference,

Recalling the Constitution of Unesco and its objectives relating to the preservation and protection of the world heritage of monuments of historical and scientific value,

Considering the exceptional importance of the cultural property in the City of Jerusalem, not only to the countries directly concerned but to all humanity,

Recalling all the relevant resolutions and decisions adopted by the General Conference and the Executive Board of Unesco, in particular 21 C/Resolution 4/14,

Recalling that the General Conference, by that resolution, invited the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, and invited the Director-General to keep a constant watch on the execution of the resolutions and decisions concerning Jerusalem,

Having noted the report contained in document 22 C/90, and in particular the report (document 116 EX/18) submitted by the Director-General to the Executive Board at its 116th session,

Considering with consternation and concern that the Israeli occupying authorities are persisting in their refusal to apply the above-mentioned resolutions and decisions,

Noting specifically:

1. that those authorities are continuing to carry out excavations and are undertaking civil engineering and building operations detrimental to the historical and cultural character of the Holy City,

2. that the archaeological excavations and constructions begun and continued since 1967 are causing irreparable damage and harm to the Holy City of Jerusalem,

3. that the Al-Agsa Mosque is more and more seriously and gravely endangered as a result of excavations and of the acts of armed aggression that have been perpetrated against it by fanatical groups; and

4. that the objective of the establishment of Jewish colonies around the City of Jerusalem and of small Jewish religious communities inside the city is the judaization of the City of Jerusalem,

Considering further that, in persisting in their policy of annexation of Jerusalem, the Israeli authorities are deliberately refusing to abide by the decisions of the United Nations and Unesco in the matter,

Considering that the above-mentioned policy and practices, which have repeatedly been denounced and condemned by the international community, constitute a constant violation of the Charter of the United Nations, the Constitution of Unesco and the international conventions and recommendations relating to the protection of cultural property in the occupied territories,

1. Reaffirms the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;

2. Endorses decision 5.4.1 adopted by the Executive Board at its 116th session;

3. Strongly condemns Israel's persistent refusal to abide by those resolutions and decisions, and its policy of judaization and annexation of the City of Jerusalem;

4. Invites the Member States of Unesco to undertake all necessary action, by such means as they may deem appropriate, to put an end to this situation;

5. Thanks the World Heritage Committee for its decision to include the City of Jerusalem on the List of World Heritage in Danger and invites it to continue its activities for the protection and safeguarding of cultural property in the city;

6. Thanks the Director-General for the continued efforts he has made to ensure implementation of the relevant resolutions and decisions, while maintaining Unesco's presence in the city;

7. Requests the Director-General to keep the Executive Board informed of developments in the situation;

8. Decides to include this question in the agenda of its twenty-third session.

MINISTERE DES AFFAIRES ETRANGERES
JERUSALEM

משרד החוץ
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Noting specifically:

1. that those authorities are continuing to carry out excavations and are undertaking civil engineering and building operations detrimental to the historical and cultural character of the Holy City,

2. that the archaeological excavations and constructions begun and continued since 1967 are causing irreparable damage and harm to the Holy City of Jerusalem,

3. that the Al-Agsa Mosque is more and more seriously and gravely endangered as a result of excavations and of the acts of armed aggression that have been perpetrated against it by fanatical groups; and

4. that the objective of the establishment of Jewish colonies around the City of Jerusalem and of small Jewish religious communities inside the city is the judaization of the City of Jerusalem,

Considering further that, in persisting in their policy of annexation of Jerusalem, the Israeli authorities are deliberately refusing to abide by the decisions of the United Nations and Unesco in the matter,

Considering that the above-mentioned policy and practices, which have repeatedly been denounced and condemned by the international community, constitute a constant violation of the Charter of the United Nations, the Constitution of Unesco and the international conventions and recommendations relating to the protection of cultural property in the occupied territories,

1. Reaffirms the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;

2. Endorses decision 5.4.1 adopted by the Executive Board at its 116th session;

3. Strongly condemns Israel's persistent refusal to abide by those resolutions and decisions, and its policy of judaization and annexation of the City of Jerusalem;

4. Invites the Member States of Unesco to undertake all necessary action, by such means as they may deem appropriate, to put an end to this situation;

5. Thanks the World Heritage Committee for its decision to include the City of Jerusalem on the List of World Heritage in Danger and invites it to continue its activities for the protection and safeguarding of cultural property in the city;

6. Thanks the Director-General for the continued efforts he has made to ensure implementation of the relevant resolutions and decisions, while maintaining Unesco's presence in the city;

7. Requests the Director-General to keep the Executive Board informed of developments in the situation;

8. Decides to include this question in the agenda of its twenty-third session.

Item 60 of the agenda: Jerusalem and the application of 21 C/Resolution 4/14

21. The Commission recommended, by 64 votes to 15, with 15 abstentions, that the General Conference adopt 22 C/COM V/DR.2 (Madagascar, Algeria, Niger, Mozambique, Togo, Sudan, Guinea-Bissau, Morocco, Jordan, Tunisia, Kuwait, Iraq, Libyan Arab Jamahiriya, Lebanon, Yemen Arab Republic, United Arab Emirates, Oman, Syria, Somalia, Qatar, Afghanistan, Bangladesh, Islamic Republic of Iran, and Pakistan):

Jerusalem and the Application of 21 C/Resolution 4/14

The General Conference,

Recalling the Constitution of Unesco and its objectives relating to the preservation and protection of the world heritage of monuments of historical and scientific value,

Considering the exceptional importance of the cultural property in the City of Jerusalem, not only to the countries directly concerned but to all humanity,

Recalling all the relevant resolutions and decisions adopted by the General Conference and the Executive Board of Unesco, in particular 21 C/Resolution 4/14,

Recalling that the General Conference, by that resolution, invited the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, and invited the Director-General to keep a constant watch on the execution of the resolutions and decisions concerning Jerusalem,

Having noted the report contained in document 22 C/90, and in particular the report (document 116 EX/18) submitted by the Director-General to the Executive Board at its 116th session,

Considering with consternation and concern that the Israeli occupying authorities are persisting in their refusal to apply the above-mentioned resolutions and decisions,

Noting specifically:

1. that those authorities are continuing to carry out excavations and are undertaking civil engineering and building operations detrimental to the historical and cultural character of the Holy City,

2. that the archaeological excavations and constructions begun and continued since 1967 are causing irreparable damage and harm to the Holy City of Jerusalem,

3. that the Al-Agsa Mosque is more and more seriously and gravely endangered as a result of excavations and of the acts of armed aggression that have been perpetrated against it by fanatical groups; and

4. that the objective of the establishment of Jewish colonies around the City of Jerusalem and of small Jewish religious communities inside the city is the judaization of the City of Jerusalem,

Considering further that, in persisting in their policy of annexation of Jerusalem, the Israeli authorities are deliberately refusing to abide by the decisions of the United Nations and Unesco in the matter,

Considering that the above-mentioned policy and practices, which have repeatedly been denounced and condemned by the international community, constitute a constant violation of the Charter of the United Nations, the Constitution of Unesco and the international conventions and recommendations relating to the protection of cultural property in the occupied territories,

1. Reaffirms the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;

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3. Strongly condemns Israel's persistent refusal to abide by those resolutions and decisions, and its policy of judaization and annexation of the City of Jerusalem;

4. Invites the Member States of Unesco to undertake all necessary action, by such means as they may deem appropriate, to put an end to this situation;

5. Thanks the World Heritage Committee for its decision to include the City of Jerusalem on the List of World Heritage in Danger and invites it to continue its activities for the protection and safeguarding of cultural property in the city;

6. Thanks the Director-General for the continued efforts he has made to ensure implementation of the relevant resolutions and decisions, while maintaining Unesco's presence in the city;

7. Requests the Director-General to keep the Executive Board informed of developments in the city;

אינייר

יא' בשבט תשמ"ד

15 בינואר 1984

א ל : השגריר אונסקו

מאת : יעל ורד

הנדון: מלגת השתלמות למר גיורא סולר

מר גיורא סולר הוא אדריכל שימור. לפי עצת מר אופק היועץ
התרבות ברומא, פנה סולר ל-ICROM עוד באוגוסט שעבר ובקש להשתתף בסמינר
שלהם, וזאת אחרי שאופק שוחח בנדון עם אנשי ICROM.

מר סולר נענה בחיוב, והשתתף בסמינר מ-26.3 ועד 20.4.84.
הוא לא בקש מלגה כיון שאופק התרשם לאחר ברורים מדושרים שאין לו סיכוי
לקבלה. סולר לא יוכל לממן עתה את ההשתלמות מכיסו.

בשיחות האחרונות עם מנכ"ל אונסקו דברנו מספר פעמים על הצורך להכשיר
אדריכלי שימור ומתמחים לשימור אבן בירושלים, וזאת בעקבות המלצות להמייר.
המנכ"ל הסכים אז לסייע לצורך זה וכידוע לך דאג לטפול בהשתלמות של פלג.
לא העליתי אז את בקשתו של סולר במיוחד שכן חשבתי אז שאופק יוכל להסדיר את
המלגה ב-ICROM (אופק סיפר לי בשעתו על העניין בע"פ).

אי לכך, ובהסכמת מנהלת ארב'ל 3, מומלץ כי תשתדל להשיג
מלגת אונסקו למר סולר. לשקולך אם לפנות בדחיפות למנכ"ל או לפעול באמצעות
אחד מאנשי אגף התרבות תוך תאום עם קאבורה.

העניין דחוף, כמובן, כיון שהסמינר מתחיל בעוד חודשיים
בקרוב.

ברכות לך ולמרלי,

יעל

רצ"ב מכתב הפנייה של סולר ל-ICROM ותשובתם.
על מועד פתיחת הקורס הודיעו לו טלפונית.

העתק: מנהלת ארב'ל 3
מר י. שגב, מזכ"ל הועה"ל לאונסקו

General Conference
Twenty-second Session, Paris 1983

22 C

22 C/90 Add.
4 November 1983
Original: French

Item 60 of the agenda

JERUSALEM AND THE APPLICATION OF 21 C/RESOLUTION 4/144

ADDENDUM

1. In this document the Director-General submits to the General Conference a supplement to his report on the measures he has taken to give effect to the above resolution.

2. The Executive Board, by decision 5.4.1 adopted at its 116th session, invited the Director-General 'to extend Unesco's necessary assistance for the safeguarding of the historical and religious heritage of Jerusalem, including the archives kept in the Al-Aqsa library'. To give effect to this decision in the framework of the implementation of resolutions 4/14 and 4/01 adopted by the General Conference at its twenty-first session, the Director-General sent his personal representative, Mr Raymond Lemaire, Professor at the University of Louvain, on mission to to Jerusalem from 13 to 16 October 1983. On completion of his mission, which was carried out after consultation with the Israeli Government, Professor Lemaire submitted to the Director-General his report, which is reproduced in full in the Annex to the present document.

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Report to the Director-General of Unesco on the safeguarding of the monumental heritage of Jerusalem

1. Dates of the mission

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To examine the situation of the heritage, as compared with the situation in April 1983.

3. Persons met

Mr T. KOLLEK, Mayor of Jerusalem;

Mrs A.M. LAMBERT, Ambassador, Head of the Division of International Organizations at the Ministry of Foreign Affairs;

Mr U. MANOR, assistant to Mrs Lambert;

Mrs G. VERED, Ambassador, former Permanent Delegate of Israel to Unesco;

Mr S. OVNAT, Special Adviser to the Mayor of Jerusalem;

Mr AVIGAD, Professor at the Hebrew University;

Mr Y. YAACOVY, Chairman of East Jerusalem Development Ltd.;

Mr Y. SHILOH, Professor at the Hebrew University;

Mr E. SHILOH, Engineer attached to the Ministry of Religious Affairs;

Mr A. EYTAN, Director of the Department of Antiquities;

Mr A. BYRAN, Honorary Director of the Department of Antiquities;

Mr M. BEN-DOV, Professor at the Hebrew University;

Mr P. BUGOD, Architect;

Mr H. THAHBOUB, Director of the Waqf;

Mr I. AWAD, Chief Architect of the Al-Aqsa Restoration Committee;

Mr Y. NATSHEH, Director of the Department of Islamic Archaeology and his aides;

Mr HUSSEINI, Engineer-architect attached to the Waqf.

4. Public works schemes in the old city

There are no works of any importance to report since my last visit in April.

The resurfacing of streets has been continued, mainly in the Christian quarter.

The houses which were destabilized when new pipes were being laid in Ruman Street and Antonia Street have been consolidated. Their foundations have been strengthened with reinforced concrete. The unstable house-fronts have been buttressed by arches supported by the house walls opposite, using the technique traditional in the old city of Jerusalem. It should nevertheless be noted that the alignment of the resulting new archways is not always satisfactory. In addition, the recent increase in the number of these archways, in particular in the main thoroughfares of the lower town, has altered their historical vista and has not necessarily enhanced their beauty or made them more picturesque. Admittedly, this method makes it possible to consolidate rapidly an insecure house-front; it is nevertheless to be hoped that, in future, the consequences of building such archways from the point of view of the urban landscape will be examined on a case-by-case basis before it is decided to build new ones, at least in streets where some already exist.

5. The tunnel under the Arab quarter

The tunnel has not been extended further north since my visit in April. Such an extension would be difficult since it would be necessary to dig through the rock against which the tunnel has been brought to a halt. The most recent section has been strengthened by a steel and concrete lining similar to that which has already replaced, in the oldest section, the wooden props which were placed there when the tunnel was being dug.

In several places, the wall of the Haram al-Sharif has been exposed to a greater height. Cleaning work on the cisterns has continued. More recent work, halted a short while ago, was intended to uncover the surface of the wall concealed by a later partition wall forming part of these cisterns. No other cleaning work appears to be in progress at the moment.

Despite the strengthening work carried out, the existence of the tunnel in its present state may endanger the stability of the buildings above. The level of the tunnel is in some places lower than that of the base of the foundations of the walls of the cisterns. The soil and rubble upon which they rest have been cut through flush with these walls. Although this soil is firm, it might cave in under the weight it has to support, or at the very least subside. Since these walls support high vaults located beneath the buildings which back on to to the wall of the Haram, the slightest movement in their foundations might have repercussions, in the form of cracks in these buildings.

It is very likely that movements of this kind were the cause of cracks that appeared in the Madrasa Al-Manjakiyya, the headquarters of the Islamic Council of Jerusalem, which I mentioned in my report of 6 May 1983. Since then, the state of the building has deteriorated. The cracks have spread and widened and the monumental staircase has subsided by about five centimetres. The building has been placed under observation by the Israeli authorities. The situation is not dangerous but the damage is considerable. According to the city authorities, an agreement is about to be reached with the Waqf to restore the building at the expense of the Israeli Government. It should be pointed out that any such restoration is likely to be ineffective until such time as the exact cause of the present movements is identified and localized. For this purpose, it is essential to draw up detailed, superimposable plans, to the same scale, of the tunnel, the substructures it runs through and the buildings above, and cross-sections clarifying the relationship between these various constructions. Most of these plans do not as yet exist. The city authorities have promised to give priority to having them drawn up. It would be advisable for all such plans to be communicated to the architects of the Waqf to which most of the buildings in the area concerned belong and who should as a matter of necessity be involved in their preparation.

6. Galleries under the Haram al-Sharif

The possible points of access under the Haram mentioned in the report of 6 May have been inspected. They are all walled up and there is no evidence of recent operations.

According to the Waqf architects, one possible point of access remains from a huge cistern located outside the Haram at the north-east corner of the outside wall. An old tunnel running along the east wall of the sanctuary is thought to lead to this underground chamber. This tunnel might offer points of entry underneath the rock. In addition, it is feared that the religious authorities in charge of the excavation of the tunnel mentioned in the previous paragraph might have the rock now blocking this tunnel bored through in order to link up the two tunnels. It was not possible for me to visit the site in question, access being very difficult; this may be possible on my next visit.

7. The excavations

7.1 The 'Mazar' excavations near the Haram al-Sharif

There are no new excavations to report on this site. The work of consolidation and partial reconstitution carried out by Professor M. Ben-Dov, which has been widely criticized, has been halted. According to the Director of the Department of Antiquities, a thorough examination of work already carried out is in progress and advice is being sought in many quarters in order to decide the future of this project. In his opinion, nothing is yet final and improvements are required. In this respect, it should be pointed out that the columns mistakenly re-erected on the site of one of the Umayyad palaces have been removed.

7.2 Excavations in the 'City of David' at Silwan

According to Professor Y. Shiloh, who is in charge of the excavations, they have been stopped altogether. All that is planned is minor cleaning work on the remains unearthed by Kathleen Kennyon in 1966-1967 and by Professor Shiloh himself in recent years.

The archaeological remains that have been uncovered must be consolidated, with partial anastylosis of the collapsed walls. The fence enclosing the archaeological site must be renewed and access to it made easier.

I mentioned in my last report that problems might remain for the stability of certain hillside slopes and I suggested that a study might be made by specialists in soil mechanics. At the request of the mayor of the city, the site was examined by engineers from the Haifa Technion. There still appear to be problems for which possible solutions will be submitted in the next few weeks.

7.3 Excavations in the 'Damascus Gate'

These excavations were extended to plots (± ares) adjoining the gate, where a small commercial building is to be reconstructed. The Roman paving of the triangular open space from which the two 'Cardo' of 'Aelia Capitolina' start, has been rediscovered in excellent condition. These remains will be preserved under the new buildings and under part of the present square.

7.4 Excavations in the Jewish quarter

No excavations are in progress in this quarter. On the other hand, the enhancement of the most noteworthy remains uncovered during previous excavations has almost finished. These archaeological remains are preserved, for the most part, under reconstructed buildings, and are open to the public. Their presentation is scientific and tasteful.

7.5 Excavations between the Damascus Gate and Herod's Gate

Excavation work is in progress along the city wall between these two gates. They affect a very limited area. I was given the following explanations on this matter by the Israeli authorities:

> 'The excavations concerned lie between the Damascus Gate and Herod's Gate. Our intention is to improve the existing garden and the architect Peter Bogot has prepared the plans. In order to be able to plant trees with deep or horizontal roots, we have carried out a few archaeological inspections.
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> The excavations we made for the purpose of these inspections have been left open for the moment and Mr Peter Bogot is examining the possibility of leaving them open indefinitely, so that they will become part of the garden, or re-covering them.
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8. Conservation of Muslim monuments

8.1 The Al-Aqsa Mosque

Restoration work is going on normally. Restoration of the plaster decoration is almost completed. The result is remarkable. The outside of the dome will soon be re-covered. The aluminium sheeting will be replaced by lead, the material originally used. For this purpose, the lead from the cupola of the 'Dome of the Rock', removed a quarter of a century ago, has been melted down and rolled out into sheets on the spot. Mr I. Awad, who is in charge of this work, spoke to me once more of his determination to preserve all the elements of the decoration dating from the Crusades.

8.2 Inventory of the Islamic monuments in the city

This inventory has been in progress for three years. A department was set up for this purpose, headed by Mr Yussuf S. Natsheh. This department is made up chiefly of architects and draughtsmen. According to its head, they are in need of a well qualified specialist in the analysis of ancient monuments. A postgraduate training scholarship would therefore be desirable for one of his assistants.

At present, the main activity of this department, entrusted with work which will be of great benefit for the urgent safeguarding of the Islamic heritage of Jerusalem, consists in making detailed, large-scale surveys of the buildings listed and carrying out research into their original condition.

Five important monuments have so far been carefully surveyed.

8.3 The Al-Aqsa Library

The archives kept in this library, which were being attacked by salts and humidity, have been put in a safe place, but conservation measures are urgently required and the manuscripts and books which have been eaten into by insects need to be disinfected.

Professor Dr R.M. Lemaire
19 October 1983

General Conference
Twenty-second Session, Paris 1983

22 C

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Item 60 of the agenda

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19 October 1983

General Conference
Twenty-second Session, Paris 1983

22 C

22 C/90
12 September 1983
Original: French

Item 60 of the provisional agenda

JERUSALEM AND THE APPLICATION OF 21 C/RESOLUTION 4/14

SUMMARY

In resolution 4/14 adopted at its twenty-first session, the General Conference invited the Director-General to keep a constant watch on the execution of the resolutions and decisions of the General Conference and Executive Board concerning Jerusalem. In this document the Director-General submits a report to the General Conference on the measures he has taken to give effect to the resolution.

1. At its twenty-first session, the General Conference considered the report of the Director-General on Jerusalem and the implementation of 20 C/Resolution 4/7.6/13 (document 21 C/97 and Addenda 1 and 2) and adopted resolution 4/14, the text of which is contained in Annex I. In addition, in resolution 4/01, also adopted at its twenty-first session, the General Conference authorized the Director-General to ensure 'the presence of Unesco in Jerusalem with a view to the preservation of the city and the site'.

2. In pursuance of 21 C/Resolution 4/14, the Director-General informed the Executive Board at its 113th session of developments as regards the implementation of the resolution (document 113 EX/12 and its five Addenda). After examining these documents, the Executive Board invited the Director-General in decision 5.5.1 'to undertake a study of the situation of all the cultural property located in Jerusalem and of the dangers to which it is exposed so that the Executive Board can identify the facts making it possible to take the decision that the situation warrants'. The text of the decision is contained in Annex II.

3. At the 114th session of the Executive Board, the Director-General informed the Board of the action he had taken to give effect to the above-mentioned decision (document 114 EX/17 and its three Addenda). After taking note of this information, the Executive Board adopted decision 5.4.2 in which it invited the Director-General 'to continue his efforts to enable a mission to be sent to study the situation in occupied Jerusalem on the spot, in order that a report on this subject may be submitted to the Executive Board at its 116th session'. The text of the decision is contained in Annex III.

4. In pursuance of this decision, the Director-General submitted to the Executive Board at its 116th session a further report on the implementation of 21 C/Resolution 4/14 (document 116 EX/18 and its two Addenda). After examining this report, the Executive Board adopted decision 5.4.1, the text of which is contained in Annex IV.

5. The Director-General transmits to the General Conference, annexed to this document, the three reports and their Addenda that he submitted at the 113th, 114th and 116th sessions of the Executive Board giving an account of the measures he had taken with a view to the implementation of 21 C/Resolution 4/14. In these documents (Annexes V, VI and VII) the Director-General also draws attention to the communications concerning the preservation of the cultural heritage of Jerusalem that he has received since the twenty-first session of the General Conference, and all the other information available to him as at 16 June 1983 (the date of Add. 2 to document 116 EX/18).

6. At the time this report was written, the Director-General had not received any other information regarding the preservation of the cultural heritage of Jerusalem.

ANNEX I

Resolution 21 C/4/14 (1980)

4/14 Preservation of cultural property in Jerusalem

The General Conference,

Recalling the Constitution and the objectives of Unesco relating to the protection and preservation of the world heritage of monuments of historical and scientific value,

Considering the exceptional importance of the cultural property in the City of Jerusalem, not only to the countries directly concerned but to all humanity, on account of its unique cultural, historical and religious value,

Recalling United Nations General Assembly resolutions 2253 (ES-V) of 4 July 1967 and 2254 (ES-V) of 14 July 1967, calling on Israel to rescind the measures it has taken to change the status of the City of Jerusalem and to refrain from any similar act in the future,

Recalling the resolutions and decisions adopted by the General Conference and the Executive Board of Unesco, in particular 18 C/Resolution 3.427, 19 C/Resolution 4.129 and 20 C/Resolution 4/7.6/13,

Taking into consideration Security Council resolution 478 dated 20 August 1980,

Considering that the adoption by Israel of the 'basic law' modifying the character and status of the Holy City of Jerusalem is yet another of the many obstructions placed by Israel in the way of Unesco's continuing efforts to protect the common heritage of mankind,

1. Reaffirms all the resolutions and decisions adopted by the General Conference and the Executive Board concerning the City of Jerusalem;

2. Vigorously condemns Israel for its continuing refusal to carry out those resolutions and decisions;

3. Endorses Security Council resolution 478, dated 20 August 1980, by which the Council:

> 'Censures in the strongest terms the enactment by Israel of the "basic law" on Jerusalem and the refusal to comply with relevant Security Council resolutions;
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> . . . . . .
>
> Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the recent "basic law" on Jerusalem, are null and void and must be rescinded forthwith;
>
> . . . . . .
>
> Decides not to recognize the "basic law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem...';

4. Invites Member States to withhold all recognition of the modifications made by Israel to the character and status of Jerusalem and to abstain from any act that might imply any recognition whatsoever of those modifications;

5. Invites the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, in conformity with the prerogatives conferred upon it by the Constitution;

6. Invites the Director-General to keep a constant watch on the execution of the resolutions and decisions of the General Conference and Executive Board concerning Jerusalem;

7. Recommends that the World Heritage Committee speed up the procedure for including the City of Jerusalem on the 'World Heritage List' and that it consider its inclusion on the 'List of World Heritage in Danger';

8. Thanks the Director-General for his efforts to secure implementation of Unesco's resolutions on the question of Jerusalem;

9. Requests the Director-General to inform the Executive Board, at its 113th session, of developments in this matter;

10. Decides to include this item on the agenda of its twenty-second session.

ANNEX II

5.5.1 Jerusalem and the application of 21 C/Resolution 4/14 (113 EX/12 and Add. 1, 2, 3, 4 and 5 and 113 EX/40)

The Executive Board,

1. Recalling all the resolutions and decisions adopted by the General Conference of Unesco and its Executive Board concerning the preservation of the cultural property in the City of Jerusalem and particularly resolution 4/14 adopted by the General Conference at its twenty-first session,

2. Recalling that the General Conference, in 21 C/Resolution 4/14, invited Member States 'to withhold all recognition of the modifications made by Israel to the character and status of Jerusalem and to abstain from any act that might imply any recognition whatsoever of those modifications' and that it also invited the Director-General 'to keep a constant watch on the execution of the resolutions and decisions of the General Conference and Executive Board concerning Jerusalem',

3. Having taken note of the report of the Director-General (113 EX/12 and Add. 1, 2, 3, 4 and 5) which contains the report of his personal representative in the occupied City of Jerusalem describing the outcome of the mission carried out between 3 and 7 August 1981, and having listened to the additional information provided orally by the personal representative of the Director-General,

4. Noting, after considering the facts set out, that it transpires:

   (a) that the Israeli occupying authorities are continuing with the excavations and transformations, the halting of which has been requested by the General Conference,

   (b) that the excavations and transformations in progress seriously threaten the historical and cultural sites of Jerusalem and that they have never before reached such a pitch as they have today, in both intensity and gravity,

5. Having taken note of the decision of the World Heritage Committee, taken at its extraordinary session held in Paris on 10 and 11 September 1981, concerning the inclusion of the Old City of Jerusalem and its walls on the World Heritage List,

6. Considering that the General Conference, at its twenty-first session, gave the Executive Board an explicit mandate to take any measures that it might consider appropriate, in conformity with the prerogatives conferred upon it by the Constitution,

7. Thanks the Director-General for what he has done and the representations he has made to secure implementation of the resolutions concerning the protection of cultural property located in Jerusalem;

8. Notes with satisfaction the World Heritage Committee's decision to include the Old City of Jerusalem and its walls on the World Heritage List;

9. Recommends that the World Heritage Committee speed up the procedure for including the Old City of Jerusalem and its walls on the List of World Heritage in Danger;

10. Expresses its deep concern at the grave threat posed to the Old City of Jerusalem and its walls by Israel's continued excavations and transformations;

11. Condemns Israel's persistent and deliberate violations of the resolutions adopted by Unesco in this connection;

12. Invites the Director-General to undertake a study of the situation of all the cultural property located in Jerusalem and of the dangers to which it is exposed so that the Executive Board can identify the facts making it possible to take the decision that the situation warrants;

13. Decides to include this item on the agenda of its 114th session.

ANNEX III

5.4.2 Jerusalem and the implementation of 21 C/Resolution 4/14 (114 EX/17 and Add. 1, 2 and 3 and Corr. and 114 EX/42)

The Executive Board,

1. Recalling all the resolutions and decisions adopted by the General Conference of Unesco and its Executive Board concerning the preservation of cultural property in Jerusalem,

2. Recalling:

   (a) that the General Conference, in its 21 C/Resolution 4/14, invited Member States to 'withhold all recognition of the modifications made by Israel to the character and status of Jerusalem and to abstain from any act that might imply any recognition whatsoever of those modifications', and that it also invited the Executive Board 'to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, in conformity with the prerogatives conferred upon it by the Constitution',

   (b) that the Executive Board, in its decision 113 EX/5.5.1, invited the Director-General 'to undertake a study of the situation of all the cultural property located in Jerusalem and of the dangers to which it is exposed so that the Executive Board can identify the facts making it possible to take the decision that the situation warrants',

3. Having taken note of the tragic machine-gunning incident at the Al Aqsa Mosque, which caused several casualties among the faithful and defaced the Holy Sanctuary of the Mosque,

4. Noting with extreme concern that Israel:

   (a) persists in its refusal to abide by the resolutions and decisions adopted by Unesco concerning the City of Jerusalem,

   (b) perseveres in its policy of annexing and Judaizing the City of Jerusalem,

   (c) persists in carrying out excavations and destruction and in threatening the cultural character of Jerusalem,

   (d) does not respect the sacred character of the Holy Places, which are continually subjected to assaults and profanation with the full knowledge of the Israeli authorities,

5. Noting with profound disquiet the refusal of the occupation authorities to allow the Director-General's mission, comprising five specialists, to go to the occupied City of Jerusalem,

6. Having noted, after consideration of the report of the Director-General contained in document 114 EX/17 and Add. 1, 2 and 3, the request submitted by Jordan that the Old City of Jerusalem and its walls, which are already included in the World Heritage List, be included in the List of World Heritage in Danger,

7. Reaffirms the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;

8. Strongly condemns Israel's repeated refusal to implement those resolutions and decisions;

9. Recommends to the General Conference that at its twenty-second session it consider the situation brought about by Israel's refusal to implement the resolutions and decisions adopted by the General Conference and the Executive Board, and that it take such action as it may deem appropriate in the matter;

10. Strongly denounces the act of aggression committed by Israeli soldiers against the Al Aqsa Mosque, which led to the death of several of the faithful;

11. Recommends to the World Heritage Committee that it speed up the procedure for including the Old City of Jerusalem and its walls in the List of World Heritage in Danger;

12. Invites the Director-General to continue his efforts to enable a mission to be sent to study the situation in occupied Jerusalem on the spot, in order that a report on this subject may be submitted to the Executive Board at the 116th session.

ANNEX IV

5.4 Culture

5.4.1 Jerusalem and the implementation of 21 C/Resolution 4/14 (116 EX/18 and Add. 1 and Add. 2 and 116 EX/50)

The Executive Board,

1. Recalling all the resolutions and decisions adopted by the Unesco General Conference and Executive Board on the preservation of cultural property in Jerusalem, in particular 21 C/Resolution 4/14,

2. Recalling that in 21 C/Resolution 4/14, the General Conference invited the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, and invited the Director-General to keep a constant watch on the execution of the resolutions and decisions concerning Jerusalem,

3. Observing with deep disquiet that in addition to the tragic machine-gun attack in the Al Aqsa Mosque on 13 April 1982, in which there were several victims among the faithful and damage to the Holy Sanctuary of the Mosque, the Mosque has again, in 1983, been the object of an attempted attack on the part of a group of Jewish religious extremists, and that there has been a substantial theft of rare historical objects from the Jerusalem Museum,

4. Considering with dismay that the responsibility for all these acts lies with the occupying authority which, where there has not been actual complicity, has omitted to take the necessary preventive and protective measures,

5. Having noted the Director-General's report contained in document 116 EX/18, especially paragraphs 4.1, 4.2, 6.2, 6.3, 6.4, 7, 8, 9, 10.2 and 10.4,

6. Observing with deep disquiet that the picture painted by the report is largely as follows:

   (a) Israel persists in its refusal to conform to the Unesco resolutions and decisions stipulating that there should be a halt to the excavations and to all work in progress which affects or modifies the historical and cultural character of the monuments and sites of the City of Jerusalem,

   (b) the consequence of this negative attitude is to allow destruction, alteration and other serious threats to the unique historical character of the City of Jerusalem,

   (c) the large-scale building work in progress is in grave danger of marring the whole landscape of the city for a long time to come,

   (d) not only have the archaeological excavations in progress since 1967 not been suspended but are being pursued on an ever-increasing scale, thereby causing irreparable damage to the City of Jerusalem,

   (e) in particular, the Haram al-Sharif, which has already been damaged as a result of the holes and tunnels that have been dug beneath it, remains exposed to more serious dangers, a situation that justifies the anxiety of all communities, especially Muslim circles,

7. Considering with emotion that new forms of Judaization of the Arab City of Jerusalem can be seen, with the settlement of small Jewish religious communities in houses in the vicinity of the Haram al-Sharif, which is seen as a first step towards eventually occupying the Haram al-Sharif itself,

8. Considering that this new situation is likely to exacerbate the tensions that already exist,

9. Reaffirms the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;

10. Strongly condemns Israel's persistent refusal to implement those resolutions and decisions, its deliberate policy of Judaization and annexation of the City of Jerusalem and the acts of aggression committed against the Al Aqsa Mosque;

11. Notes with satisfaction the decision of the World Heritage Committee to include the Old City of Jerusalem and its walls on the List of World Heritage in Danger;

12. Invites that Committee to continue taking action to safeguard Jerusalem, in accordance with the provisions of the Convention for the Protection of the World Cultural and Natural Heritage;

13. Thanks the Director-General for his efforts to secure implementation of Unesco's resolutions and decisions on the question of Jerusalem;

14. Invites him to extend Unesco's necessary assistance for the safeguarding of the historical and religious heritage of Jerusalem, including the archives kept in the Al Aqsa Library.

ANNEX V

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

113 EX/12
PARIS, 20 August 1981
Original: French

Item 5.5.1 of the provisional agenda

JERUSALEM AND THE APPLICATION OF 21 C/RESOLUTION 4/14

SUMMARY

In resolution 4/14 adopted at its twenty-first session, the General Conference invited the Director-General to keep a constant watch on the execution of the resolutions and decisions of the General Conference and Executive Board concerning Jerusalem and requested him to inform the Executive Board, at its 113th session, of developments in that matter. This document contains information in the possession of the Director-General at 13 August 1981.

I. INTRODUCTION

1. At its twenty-first session the General Conference considered the report of the Director-General on Jerusalem and the implementation of 20 C/Resolution 4/7.6/13 (documents 21 C/97, 21 C/97 Add. and 21 C/97 Add.2) and adopted resolution 4/14, which is annexed hereto. The text of that resolution was communicated by the Secretariat to the Permanent Delegate of Israel under cover of a letter dated 13 January 1981. In the operative part of the resolution the General Conference:

"1. Reaffirms all the resolutions and decisions adopted by the General Conference and the Executive Board concerning the City of Jerusalem;

2. Vigorously condemns Israel for its continuing refusal to carry out those resolutions and decisions;

3. Endorses Security Council resolution 478, dated 20 August 1980, by which the Council:

'Censures in the strongest terms the enactment by Israel of the "basic law" on Jerusalem and the refusal to comply with relevant Security Council resolutions;

. . . . . .

Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the recent "basic law" on Jerusalem, are null and void and must be rescinded forthwith;

. . . . . .

Decides not to recognize the "basic law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem...';

4. Invites Member States to withhold all recognition of the modifications made by Israel to the character and status of Jerusalem and to abstain from any act that might imply any recognition whatsoever of those modifications;

5. Invites the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, in conformity with the prerogatives conferred upon it by the Constitution;

6. Invites the Director-General to keep a constant watch on the execution of the resolutions and decisions of the General Conference and Executive Board concerning Jerusalem;

7. Recommends that the World Heritage Committee speed up the procedure for including the City of Jerusalem on the 'World Heritage List' and that it consider its inclusion on the 'List of World Heritage in Danger';

8. Thanks the Director-General for his efforts to secure implementation of Unesco's resolutions on the question of Jerusalem;

9. Requests the Director-General to inform the Executive Board, at its 113th session, of developments in this matter;

10. Decides to include this item on the agenda of its twenty-second session."

2. In resolution 4/01, also adopted at its twenty-first session, the General Conference further authorized the Director-General to ensure "the presence of Unesco in Jerusalem with a view to the preservation of the city and the site".

II. COMMUNICATION RECEIVED BY THE DIRECTOR-GENERAL ON THE SUBJECT OF JERUSALEM

3. The Director-General has received from the Permanent Delegate of the Hashemite Kingdom of Jordan to Unesco a communication dated 16 January 1981 concerning the Muslim cemeteries next to the old wall of Jerusalem and the Haram al-Sharif. The text of the communication, which was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 18 February 1981, with a request for any comments he might wish to make, is reproduced below:

"I wish to bring to your attention a further stage in the Israeli plan to change the Islamic cultural monuments of Jerusalem.

1. Israel has taken over the Muslim cemeteries next to the old wall of Jerusalem and the Haram al-Sharif on the east, and has altered their character. They include the two cemeteries of the Bāb ar-Rahma Gate and the Bāb al-Yūsufīyya Gate, which Israel has turned into a public garden in which it has opened what it calls the 'Israeli National Park'.

2. I should like to point out that the importance of these cemeteries lies not only in their being waqf (inalienable property) but also in their cultural similarity to the tombs of the companions of the Prophet who were buried in the second half of the eighth century of the Hijra. Israel's violation of these cemeteries thus represents aggression against crucial evidence of Islamic history and culture throughout the world.

3. The Park and similar projects are merely pretexts. Israel uses the pretexts of beautification and modernization to carry out archaeological excavations and demolish and destroy cultural landmarks and commit aggression against them, subsequently taking them over: whereas Unesco has condemned all such practices in its resolutions.

I hope that this information may be helpful to you in implementing Unesco's resolutions, in particular resolution 21 C/4/14 about the protection of the cultural heritage and property in Jerusalem."

4. At 13 August 1981 the Director-General had not received any communication on this subject from the Permanent Delegate of Israel to Unesco.

III. MISSION OF THE PERSONAL REPRESENTATIVE OF THE DIRECTOR-GENERAL

5. In pursuance of 21 C/Resolution 4/14, the Director-General instructed his personal representative Mr Raymond Lemaire, Professor at the University of Louvain, to visit Jerusalem, and this he did from 3 to 7 August 1981. The mission was carried out after consultation with the Government of Israel.

6. Following his mission, Professor Lemaire delivered to the Director-General his report, which is reproduced in full below:

"1. Aims of the mission

The Jerusalem mission was carried out from 3 to 7 August. The purpose was to draw up a report on the safeguarding of the city's heritage of monuments and buildings. My attention was drawn to the following points in particular: the excavations, the safeguarding, restoration or rehabilitation operations carried out in the part of the city lying to the east of the Israeli border, and the consideration of a complaint lodged by the Jordanian Government with the Director-General concerning the violation and conversion into a national park of Muslim cemeteries situated along the eastern part of the old wall of the historic city.

I wish to thank the Government of Israel for the facilities and assistance extended to me for this mission.

2. Persons met

Mr Michael Elitzur, Deputy Director-General of the Ministry for Foreign Affairs;

Mr Ovadia Sopher, Director of the Department of International Organizations, Ministry for Foreign Affairs;

Mr Gad Cohen, of the same Department;

Mr Avi Eytan, Director of Antiquities, Ministry of Cultural Affairs;

Mr Brosch, Deputy Mayor of Jerusalem;

Mr Yochi Mintzker, Architect in the Department of Antiquities;

Mr Pierre Bugod, Architect in charge of improvement operations in the historic city;

Professor A. Byran, Honorary Director of Antiquities;

Professor Ygal Shiloh, of the Hebrew University.

Mr Teddy Kollek, Mayor of Jerusalem, whom I should have liked to meet, was in Canada. In addition, and despite several attempts, I was unable to make any appointment with Professor Mazar and Professor Avigad, or with Mr Thabboub, Director of Waqf in Jerusalem.

3. Excavations

3.1 Jewish Quarter. There are no excavations or borings under way. Professor Avigad has just published, in Hebrew, the general report on the excavations carried out by him in the sector in the last ten years. An English translation is to be printed soon.

Safeguarding operations have been carried out for the maintenance and display of the remains of the 'Nea', a famous church built in the sixth century under the Emperor Justinian. The work in question involves reinforced concrete covers filling in the bottom of the excavation occupying the projecting angle of the southern part of the old wall, half-way between the Zion Gate (Bab al-Nabi Dawud) and the Dung Gate.

Mention was made in 1977 (see my report of 22 December 1977) of a scheme to build a hotel over a vast underground car-park reached by a tunnel beneath the old wall. This scheme has been abandoned in favour of a public park with an open-air theatre in the deepest area of the excavation. Part of it has already been filled in. The filling material is liable soon to cover the important Gothic remains of a convent built by the Crusaders which it would be desirable to safeguard. In the absence of the Mayor of Jerusalem, I was unable to obtain any reliable information on the future of these ruins, which were brought to light during the excavations a few years ago.

3.2 The excavations near the Haram al-Sharif have been at a standstill since 1976. Since my last visit in April 1979, a considerable amount of conservation and presentation work has been carried out, mainly in the area outside the rampart between the Double Gate and the south-eastern angle of the old wall. This area is known to contain remains of monuments, chiefly from the Herodian, Byzantine and Ommiad periods. The upper part of the walls, uncovered in the course of excavations, has been in various circumstances reinforced, dismantled and rebuilt or raised. In most cases the original parts are readily distinguishable from those remade or reconstituted. The people in charge of the projects have clearly set out to apply the principles of the 1964 Venice Charter on the subject. Opinions may of course differ on the aesthetic quality or the nature of some of these operations, but there can be no doubt that the safeguarding of the remains called for action of the kind and on the scale undertaken. The remains from the Roman, Byzantine and Ommiad periods have been maintained without discrimination.

The reconstruction of the monumental stairway situated before the Double Gate and the columns put up without any archaeological justification, referred to in my report of 22 December 1977, are still in the same state despite the possibility contemplated at the time by the Director of Antiquities of at least taking down the columns.

In order to open up the excavations for visits, pathways, foot-bridges and metal staircases have been constructed. Provision has been made for inscriptions and explanatory plans. The excavation site is not yet open to the general public.

3.3 Excavations in the 'City of David'. Work has been under way in this area since 1978. It had been undertaken in order to remove the very large quantities of unstable earth and rubble accumulated by, inter alia, the numerous excavations carried out in the sector since the beginning of this century (see my report of 3 October 1978). This development was to be executed under archaeological supervision and accompanied by borings and consolidation of the remains brought to light in the course of previous excavations, often left without any maintenance and even in danger of disappearance. The work carried out was in accordance with this programme at the time of my visits in 1979 and 1980.

This year, however, the extent of the undertaking gives the impression that the work under way goes beyond what is needed to ensure the safety of the inhabitants and the safeguarding of archaeological remains. Admittedly when it comes to mixed and unstable earth - and the fatal accidents involving children buried by sudden earthfalls, together with the long cracks in the hillside that I myself observed after the winter of 1978, prove that it is so - it is difficult to lay down exactly what should be removed and what can be left as it is without danger. However, in several places so much earth and rubble have been removed that new risks of instability may arise. This is particularly so in the area overlooking the old wall of the Jebusite period which had already been discovered by J. MacCallister and K. Kenyon but which has been further uncovered recently.

I urged Professor Y. Shiloh, the director of excavation, to seek expert advice regarding the present stability of the soil in the most critical sectors. This seems to me to be all the more desirable since the excavations are surmounted by a housing area and one of the houses appears to be particularly at risk. It is thought to be built on the bedrock covering part of the Ophel hill, but it would be wise to make sure of this.

When earth is removed, a painstaking check is made of previous excavations. This results in greater chronological accuracy. There can be no denying that the excavation area has been extended beyond anything done before 1967. Without any precise plans of these excavations, I was unable to determine the size of this extension.

The remains of ramparts and other constructions, dating back to the first millennium B.C., have been partially consolidated with a view to their conservation and display.

As I stated in my report of 3 October 1978, the excavations are mainly situated on land purchased over half a century ago by the Rothschild family and ceded to the State of Israel, which has included it in its private heritage.

From the scientific point of view, the operations seem to me to have been carried out in accordance with current methods and rules. Their value in throwing light on the most ancient history of Jerusalem is indisputable.

4. Safeguarding and rehabilitation work in the old city

Little work is under way in the old city. The construction of new infrastructures in some main streets of the city has been completed. The new pavement is in place. It is made up of large slabs of natural stone from the area and corresponds to the former situation. Houses have been consolidated according to the typical Jerusalem method, i.e. the construction of flying-buttresses. It is interesting to note that an effort has been made by owners to restore and improve several façades, mainly in the Haram al-Sharif neighbourhood and particularly in respect of a number of Waqf properties.

4.1 The only area in which completion operations on some scale are under way is the Jewish Quarter, involving the large Yeshiva Porat Yoseph ensemble designed by the architect M. Safdie on the vast esplanade front facing the Wailing Wall. The edifice replaces a building for the same purpose demolished in 1948 but much less monumental. Its size and its massiveness are scarcely in keeping with the scale of the site.

4.2 The southern area of the Roman and Byzantine Cardo was badly damaged during the 1948 war. Rehabilitation and reconstruction operations have been under way for many years. The gallery which prolongs the existing souks, and in which the remains of the Byzantine Cardo and those of subsequent historic constructions have been integrated and presented, is nearing completion. Inside the gallery, which is vaulted over, a number of bays in the Byzantine architectural style will be reassembled with original items discovered in the course of excavations.

4.3 I examined several buildings situated above the tunnel built in 1969-1972 along the Haram al-Sharif beneath the buildings of the Arab Quarter, and mainly 'Ribat Kurd' which had suffered considerable stability damage. I observed no noteworthy fresh deterioration. It seems then that the soil has become gradually stabilized after the installation of metal buttressing in the tunnel.

4.4 Improvements in the outer vicinity of the ramparts are being completed. Consolidation and presentation of the remains discovered during excavations before 1977 along the southern and western parts of the old wall is finished. Areas of greenery have been planted.

Reconstruction of the square in front of the Damascus Gate, which was under way in 1980, has also been completed. Work is continuing, however, on presentation of the remains of monuments at the Roman Gate discovered in the British mandate period beneath the sixteenth-century construction.

5. The Muslim cemeteries along the eastern part of the old wall

This wall overlooks the Cedron Valley, whose western slope has been occupied since the Middle Ages by the main Muslim cemetery of Jerusalem. A complaint lodged with the Director-General on 16 January 1981 by the Permanent Delegate of the Hashemite Kingdom

of Jordan states that 'Israel has taken over the Muslim cemeteries.... and has altered their character. They include the two cemeteries of the Bāb ar-Rahma Gate and the Bāb al-Yūsufīyya Gate, which Israel has turned into a public garden in which it has opened what it calls the "Israeli National Park".'

The eastern wall has two gates in it: one, which has been walled up since the Middle Ages, is the 'Golden Gate', called 'Bab al-Dahariyeh' in the plans of the city dating back to British mandate days or earlier; the other, further north, is 'Saint Stephen's Gate' or 'Bab Sitti Maryam (al Sabat)'.

They are surrounded by cemeteries. Since it is the only area around the old wall containing cemeteries in use, it may be concluded that despite the difference in the names of the gates, this is the part of the territory of Jerusalem referred to in the complaint by the Government of Jordan.

I made a close inspection of the site, the state of which is as follows:

> The area around the Golden Gate (Bab al-Dahariyeh), extending from Saint Stephen's Gate (Bab Sitti Maryam) to the south-eastern corner of the rampart, is entirely covered by a Muslim cemetery. No alteration has been made to it and it has fully retained the traditional aspect which has been familiar to me since my first visit to Jerusalem in 1971.
>
> On the other hand, the area stretching between Saint Stephen's Gate (Bab Sitti Maryam) and the north-eastern corner of the old wall has had recent work done on it. A pre-existing pedestrian way has been laid out and local plants and trees put in around it. Freshly erected railings separate the area turned into a park from the vast Muslim cemetery occupying the rest of the hillside. No trace of a grave is to be seen in the 'park' area and it is impossible to check on the spot whether graves have been effaced or shifted.

I questioned Mr Brosch, the Deputy Mayor of Jerusalem, on the nature and date of these operations and on any projects concerning the area to the south of Saint Stephen's Gate (Bab Sitti Maryam). Being unable to give me any information in the absence of the Mayor and of the responsible municipal officials, he promised me an exhaustive note on the matter. It is to be transmitted to me via the Ministry for Foreign Affairs. I shall communicate it to the Director-General, with any comments I may have to make, as soon as I receive it.

6. Since my visit in 1980, there has been no noteworthy modification which would affect the landscape of the historic city of Jerusalem. In the Israeli city, high-rise buildings under construction at the time have been completed.

Construction of the Mamilla development, along the western slope of the old wall in front of the Jaffa Gate is still under consideration. Considerable changes are thought to have been made to the project -

which includes a vast underground car-park, shopping streets and galleries, a hotel and dwellings - in order to fit it into the site better and make it more compatible with the neighbourhood of the medieval surrounding wall. The land concerned by this project is situated partly inside Israeli territory and partly in the 'no man's land' which separated the cease-fire lines imposed in 1949 on the Jordanian and Israeli armies."

IV. PROPOSAL TO INCLUDE THE "OLD CITY OF JERUSALEM AND ITS WALLS" ON THE WORLD HERITAGE LIST

7. In a letter of 15 December 1980, the Permanent Delegate of the Hashemite Kingdom of Jordan to Unesco transmitted a file to the Director-General containing additional information and documentation in connection with the proposal to include the old city of Jerusalem and its walls on the World Heritage List, which was submitted to the World Heritage Committee at its fourth session (Paris, 1-5 September 1980) by the Hashemite Kingdom of Jordan.

8. In accordance with the procedure established by the World Heritage Committee, the Secretariat passed on the file, on 17 December 1980, to the International Council of Monuments and Sites (ICOMOS) in order that it might consider the proposal and make a recommendation on the subject to the Bureau of the World Heritage Committee.

9. In a letter dated 14 January 1981, furthermore, the Director-General drew the attention of the Chairman of the World Heritage Committee, Mr Michel Parent (France), to the recommendation by the General Conference that the World Heritage Committee "speed up the procedure for including the City of Jerusalem on the 'World Heritage List'".

10. In a letter dated 7 April 1981, the Chairman of the World Heritage Committee informed the Director-General that he had given full attention to the recommendations made by the General Conference to the World Heritage Committee concerning Jerusalem and that he had personally contacted the Secretariat of the International Council of Monuments and Sites (ICOMOS) to ensure that that organization gave careful consideration to the proposal for inclusion.

11. The proposal to include the old city of Jerusalem and its walls on the World Heritage List and the recommendation made by the International Council of Monuments and Sites (ICOMOS) in that connection were submitted to the Bureau of the World Heritage Committee at its fifth session (Paris, 4-7 May 1981). The record of the proceedings of the Bureau on the subject are reproduced below:

"The Bureau examined the nomination of the 'Old city of Jerusalem and its walls' presented by the Hashemite Kingdom of Jordan.

It noted that this inscription raised for some members problems of procedure and legality which were referred to the Committee for consideration.

The Bureau examined the report of ICOMOS which recommended inscription of the 'Old city of Jerusalem and its walls' on the World Heritage List. However, some members of the Bureau drew attention to the lack of balance in the list of monuments given in Annex III and indicated that it would be necessary that other historical buildings and monuments be included.

It has taken note of the agreement of the Hashemite Kingdom of Jordan to include in the list of monuments the historic buildings which ICOMOS recommends to add. Some states considered that the 'Old city of Jerusalem and its walls' constituted a historic ensemble which should be considered in its totality as a coherent whole whose balance and specific character depend on the synthesis of the elements of which it is composed, and where, since some elements belong to different historical periods, the preservation should be carried out taking into account the manifestations of all these periods.

These states considered that for this reason the inscription of the 'Old city of Jerusalem and its walls' should be recommended to the Committee.

Other states expressed concern about the adequate protection and management of the site and requested the inscription not to be recommended to the Committee.

Under these conditions, since a general agreement could not be reached in the Bureau, it will be for the Committee to take in this respect the decision which in any case has to be taken by the Committee."

12. On 29 June 1981 the Permanent Delegates of 15 Member States of the World Heritage Committee (Argentina, Australia, Brazil, Bulgaria, Egypt, France, Federal Republic of Germany, Iraq, Italy, Jordan, Libyan Arab Jamahiriya, Nepal, Pakistan, Senegal, Tunisia) submitted to the Director-General and to the Chairman of the World Heritage Committee a request that an extraordinary session of the Committee be convened in Paris as soon as possible and before the fifth regular session of the Committee (which is to be held in Sydney from 26 to 30 October 1981) with the following provisional agenda:

election of two Vice-Chairmen for the Bureau of the World Heritage Committee;

nomination of the "Old city of Jerusalem and its walls" for inscription on the World Heritage List.

13. The Permanent Delegates of Cyprus and of Zaire (which are also members of the Committee) supported the request on 3 and 15 July 1981 respectively.

14. In accordance with Rule 2.2 of the Rules of Procedure of the Committee, the Director-General, in agreement with the Chairman of the Committee, granted the request by convening an extraordinary session of the World Heritage Committee which is to be held at Unesco Headquarters on 10 and 11 September 1981.

15. In this document the Director-General conveys to the Executive Board all the information concerning Jerusalem in his possession at 13 August 1981. He will continue to do everything within his power to ensure that the resolutions of the General Conference and the decisions of the Executive Board are implemented and he will spare no effort with a view to the preservation of the City of Jerusalem, which belongs to the heritage of all mankind.

ANNEX

4/14 Preservation of cultural property in Jerusalem

The General Conference,

Recalling the Constitution and the objectives of Unesco relating to the protection and preservation of the world heritage of monuments of historical and scientific value,

Considering the exceptional importance of the cultural property in the City of Jerusalem, not only to the countries directly concerned but to all humanity, on account of its unique cultural, historical and religious value,

Recalling United Nations General Assembly resolutions 2253 (ES-V) of 4 July 1967 and 2254 (ES-V) of 14 July 1967, calling on Israel to rescind the measures it has taken to change the status of the City of Jerusalem and to refrain from any similar act in the future,

Recalling the resolutions and decisions adopted by the General Conference and the Executive Board of Unesco, in particular 18 C/Resolution 3.427, 19 C/Resolution 4.129 and 20 C/Resolution 4/7.6/13,

Taking into consideration Security Council resolution 478 dated 20 August 1980,

Considering that the adoption by Israel of the "basic law" modifying the character and status of the Holy City of Jerusalem is yet another of the many obstructions placed by Israel in the way of Unesco's continuing efforts to protect the common heritage of mankind,

1. Reaffirms all the resolutions and decisions adopted by the General Conference and the Executive Board concerning the City of Jerusalem;

2. Vigorously condemns Israel for its continuing refusal to carry out those resolutions and decisions;

3. Endorses Security Council resolution 478, dated 20 August 1980, by which the Council:

"Censures in the strongest terms the enactment by Israel of the 'basic law' on Jerusalem and the refusal to comply with relevant Security Council resolutions;

. . . . . .

Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular, the recent 'basic law' on Jerusalem, are null and void and must be rescinded forthwith;

. . . . . .

Decides not to recognize the 'basic law' and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem... ;"

4. Invites Member States to withhold all recognition of the modifications made by Israel to the character and status of Jerusalem and to abstain from any act that might imply any recognition whatsoever of those modifications;

5. Invites the Executive Board to review developments in the situation regarding Jerusalem and to take any measures that it might consider appropriate, in conformity with the prerogatives conferred upon it by the Constitution;

6. Invites the Director-General to keep a constant watch on the execution of the resolutions and decisions of the General Conference and Executive Board concerning Jerusalem;

7. Recommends that the World Heritage Committee speed up the procedure for including the City of Jerusalem on the "World Heritage List" and that it consider its inclusion on the "List of World Heritage in Danger";

8. Thanks the Director-General for his efforts to secure implementation of Unesco's resolutions on the question of Jerusalem;

9. Requests the Director-General to inform the Executive Board, at its 113th session, of developments in this matter;

10. Decides to include this item on the agenda of its twenty-second session.

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-thirteenth Session

113 EX/12 Add. 1
PARIS, 15 September 1981
Original: French

Item 5.5.1 of the revised provisional agenda

JERUSALEM AND THE APPLICATION OF 21 C/RESOLUTION 4/14

ADDENDUM 1

1. The Secretariat has received from the Permanent Delegate of Israel a communication dated 25 August 1981, the text of which is attached.

2. In his letter dated 25 August 1981, the Permanent Delegate of Israel says that the Secretariat's letter dated 18 February 1981 "and the Jordanian note enclosed with it never reached (him)". An inquiry conducted within the Secretariat has shown that this letter and its enclosure were dispatched from Unesco House in normal circumstances in accordance with the usual practice followed in sending mail through the postal services.

PERMANENT DELEGATION OF ISRAEL TO UNESCO

Paris, 25 August 1981

Sir,

Your letter dated 18 February 1981 and the Jordanian note enclosed with it never reached me.

Towards the middle of August, when I heard of the existence of this note, I contacted Mrs Raidl and she was good enough to send me a copy. After verification, I am hastening to reply.

The Israeli authorities have a deep respect for any holy place and for the cemeteries of all communities. In contradistinction to the Jordanians, who systematically profaned the old Jewish cemetery on the Mount of Olives, using the tombstones to build bunkers, etc., and to surface the paths in Jordanian army camps during their occupation of Jerusalem (see enclosed booklet),(1) the Israeli Government adopts the correct attitude to such places.

Since 7 June 1967, full responsibility for their holy places and cemeteries has been taken by the respective religious authorities. Thus the maintenance and safeguarding of the two cemeteries mentioned in the Jordanian note is the responsibility of the authorities in charge of the Muslim waqf. The area surrounding the Old City was declared a park in order to safeguard its cultural character, prohibit building in the vicinity of its walls and enhance its beauty. These are the same principles that are followed by all curators and planners of old walled cities, including those who work for Unesco.

As Professor Lemaire makes clear, (Report by the Director-General on the implementation of 21 C/Resolution 4/14, document 113 EX/52), the cemeteries have suffered no damage and, as mentioned earlier, they are still under the entire responsibility of, and are being maintained by, the Waqf authorities.

The pre-existing footpath was made up in agreement with the Waqf and enables the Arab workers living in the area to reach their place of work. The tombs in these cemeteries have not been affected in any way; no tomb has been effaced or displaced. On the other hand, the Waqf authorities have carried out some work in this area.

The Israeli authorities have not the slightest intention of appropriating these cemeteries or of interfering with them as the Muslim authorities did during their occupation of Jerusalem.

Yours faithfully,

(sgd.) Yaël Vered
Ambassador
Permanent Delegate of Israel to Unesco

Mr Antonio Pasquali,
Deputy Assistant Director-General
for Culture and Communication
Unesco
1, rue Miollis
75015 Paris

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(1) This trilingual booklet (English/French/Spanish) may be consulted by members of the Executive Board.

United Nations Educational,
Scientific and Cultural Organization

Executive Board

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113 EX/12 Add.2
PARIS, 16 September 1981

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JERUSALEM AND THE APPLICATION OF 21 C/RESOLUTION 4/14

ADDENDUM 2

SUMMARY

In this Addendum 2 to document 113 EX/12 the Director-General brings to the attention of the Executive Board the items of information concerning Jerusalem and the application of 21 C/Resolution 4/14 which he has received since 31 August 1981.

I. COMMUNICATIONS RECEIVED BY THE DIRECTOR-GENERAL ON THE SUBJECT OF JERUSALEM

1. The Director-General has received from the Director-General of the Arab Educational, Cultural and Scientific Organization (ALECSO) a cable dated 31 August 1981 on the subject of the Al-Aqsa Mosque. The text of this communication is as follows:

"In defiance of many Unesco resolutions Israel has resumed its programme of excavations within the precincts of the Al-Aqsa Great Mosque. The present work in addition to being a desecration threatens the very foundations of the monument. Recalling the Unesco Constitution as well as various conventions and recommendations regarding the preservation of the heritage you are urgently requested to intervene in time to prevent this cultural crime from being perpetuated. With reference to resolution 4/14 of Unesco General Conference, Belgrade, twenty-first session, I should be obliged if you would inform World Heritage Committee of present threat to Al-Aqsa and hasten the protective measures following upon the decision to include the city of Jerusalem on World Heritage List. Ends.

Dr Mohieddine Saber"

2. The Director-General has also received a communication dated 3 September 1981 from the Mayor of Ghaza. The text is as follows:

"The Municipal Council of the Gaza City, on behalf of its two-hundred thousand citizens, is appalled and stunned at the continued disregard of the Israeli Government to the holiest Muslim religious shrine sacred to over eight-hundred million Muslims in the free world. While Israel boasts freedom of access to holy places of all faiths, the Al-Aqsa Mosque to which the Holy Quraan dictates that our Prophet pilgrimages, is being premeditatedly and in cold blood clinical analysis planning exposed to destruction by Israeli archaeologists digging below its foundation under the pretext of discovering extinct site of the Jewish Temple. The Council protests the action vigorously and appeals to you personally to take all the necessary measures to stop the destructable catastrophic excavations in order to avoid a true sensitive turmoil among Muslims of the world.

Reshad Shawwa Mayor"

3. In addition, the Secretary-General of the Organization of the Islamic Conference addressed a communication to the Director-General on 8 September 1981. The text is reproduced below:

"Following the excavations recently carried out in Jerusalem by the Israeli authorities beneath the esplanade of the Al-Aqsa Mosque, I have the honour to draw your attention to the gravity of this action which directly threatens the foundations of this holy Islamic place.

We are convinced, at the Organization of the Islamic Conference, that by these measures Israel is attempting to change the Arab-Islamic character of the city of Jerusalem.

It goes without saying that this action strikes at the civilization and at the cultural and religious values of the Palestinian people and of millions of Muslims throughout the world.

In the face of this grave situation, we should like to remind you of the resolutions passed by the Security Council, by the United Nations General Assembly and by Unesco condemning the excavations around Al-Aqsa and recommending in unequivocal fashion the preservation and conservation of the Arab-Islamic character of the city of Jerusalem.

We request that you should take all necessary steps to put an end to Zionist provocation against the people of Jerusalem in particular and against the whole Islamic world in general. We also request you to spare no effort in implementing the resolutions and recommendations of the highest authorities of your esteemed Organization in order to contribute to the preservation of this holy place and to check any Zionist attempts to destroy all traces of the Arab and Islamic civilization and heritage.

Habib Chatty"

II. COMMUNICATION FROM THE PERSONAL REPRESENTATIVE OF THE DIRECTOR-GENERAL

4. The Director-General brings to the notice of the Executive Board a communication which he has received from his personal representative, Professor Raymond Lemaire. This follows the report on his mission to Jerusalem from 3 to 7 August 1981, which is reproduced in paragraph 6 of document 113 EX/12:

"I have just received through Madame Vered, the Permanent Delegate of Israel to Unesco, the following verbal message concerning

'1. The laying out of a footpath along the eastern wall of the old city.

2. The excavations on the Ophel hill.

1. Work on laying out the footpath between Saint Stephen's Gate and the north-eastern corner of the old wall has been carried out on a strip of land which is not part of the cemetery area. No tomb has therefore been moved. The work has been carried out in agreement with the Waqf. The path is mainly used by Arab workmen on their way to work. There are no plans to extend this footpath to the Muslim cemetery situated between Saint Stephen's Gate and the south-eastern corner of the old wall.

2. The work on removing earth and rubble and the borings being carried out on the Ophel hill are located in an area set aside for excavation since the British mandate. Ever since then, this area has accordingly been the subject of a prohibition on building. Unfortunately, between 1948 and 1967 the Jordanian authorities allowed buildings to be constructed in the area concerned.'

This information calls for the following comments on my part:

1. As regards the footpath between Saint Stephen's Gate (Bab Sitti Maryam) and the north-east corner of the old wall, former plans of Jerusalem before 1967 do not concord with each other. Some of them indicate a strip of land, corresponding to the restored footpath, as separating the surrounding wall from the cemetery. This indication appears to be confirmed by aerial views of the town going back to the same period. Unfortunately, the reproductions available to me do not make it possible to be entirely explicit on the subject. On the other hand, the urban development plans drawn up for the town of Jerusalem by Ashbee and Geddes in 1922, Holliday in 1934, and Kendall in 1944, show this strip as being part of the cemetery.

A vital piece of information is obviously the fact that the municipal authorities of Jerusalem are not envisaging either expropriation or any kind of work in the cemetery area situated between Saint Stephen's Gate and the south-east corner of the surrounding wall.

2. It is true that during some part of the British mandate all new building on the Ophel hill was prohibited, the zone being reserved for excavation work as a priority. This was previously confirmed to me by the late Mrs Kathleen Kenyon. The dates of construction of the buildings situated on the Ophel hill in 1973 illustrate this decision. Of some 45 buildings, situated in the vicinity of, or affected by the excavations, a score go back to before 1937, the probable date of the decision, three were constructed between 1937 and 1948, and 20 or so more between 1948 and 1973.

On the urban development plans for Jerusalem drawn up by Geddes (1919), Ashbee/Geddes (1922) and Holliday (1934) the area is shown as a zone scheduled for a national park, to be laid out with trees and plants, whereas the Kendall plan (1944) shows it planned as a residential area. The plan at present in force reverts to the Geddes, Ashbee and Holliday planned usage.

The information concerning the old plans for the development of Jerusalem and the construction dates of the buildings erected on the Ophel hill come from the following publication:

Atlas of Jerusalem, published by De Gruyter, Berlin-New York, 1973, on the initiative of: The Israel Academy of Sciences and Humanities, Israel Exploration Society, Hebrew University of Jerusalem, Department of Geography."

III. APPLICATION OF THE CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT (THE HAGUE, 14 MAY 1954)

5. In his letter dated 2 September 1981, the Permanent Delegate of Switzerland to Unesco, chosen by the states concerned as a neutral state to act as Protecting Power with a view to the appointment of Commissioners-General, informed the Director-General that he had received the agreement of the representatives of the Hashemite Kingdom of Jordan, Lebanon and the Syrian Arab Republic on the one hand, and Israel on the other, to the appointment of the following as Commissioners-General for Cultural Property:

To the Governments of the Hashemite Kingdom of Jordan, Lebanon and the Syrian Arab Republic, Professor Cesare Brandi, of Italian nationality; and

to the Government of Israel, Dr Hans Rudolf Sennhauser, of Swiss nationality.

6. Arrangements are being made by the Secretariat to enable the Commissioners-General to carry out their functions at the earliest possible date.

IV. INCLUSION OF "THE OLD CITY OF JERUSALEM AND ITS WALLS" ON THE WORLD HERITAGE LIST

7. At its first extraordinary session, held at Unesco Headquarters on 10 and 11 September 1981, the World Heritage Committee considered the proposal, submitted by the Hashemite Kingdom of Jordan, to include "the old city of Jerusalem and its walls" on the World Heritage List and by 14 votes in favour, one against and five abstentions, reached the following decision:

> "At the conclusion of discussion on file 148 Rev. submitted by the Hashemite Kingdom of Jordan, the Committee decided to include the old city of Jerusalem and its walls on the World Heritage List".

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-thirteenth Session

113 EX/12 Add. 3
PARIS, 17 September 1981
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Item 5.5.1 of the revised provisional agenda

JERUSALEM AND THE APPLICATION OF 21 C/Resolution 4/14

ADDENDUM 3

SUMMARY

The Director-General has received a communication, dated 11 September 1981, from the Permanent Delegate of the Hashemite Kingdom of Jordan, and a communication dated 14 September 1981 from the Permanent Delegate of Israel. They are reproduced in Annexes I and II of this document respectively.

ANNEX I

EMBASSY OF THE HASHEMITE
KINGDOM OF JORDAN

Paris, 11 September 1981

The Ambassador

Your Excellency,

For many years Jordan has submitted explanatory notes enumerating Israel's unlawful actions to modify the appearance of the Holy City of Jerusalem. Many decisions have been taken, both by Unesco and by other international organizations, calling on Israel to abstain from such actions, which are viewed as illegal and non-valid.

It has, however, become evident that Israel has on no occasion complied with these injunctions. On the contrary, it is making renewed efforts to alter the cultural and religious appearance of the Holy City. Information from occupied Jerusalem indicates that the excavations undertaken by the Israeli occupation authorities have reached an extremely dangerous stage, in that they are threatening to demolish both the Dome of the Rock and the Al-Aqsa Mosque.

I am sending you herewith an explanatory note retracing the various phases of these excavations from 1967 until the present, and I request you to bring it to the attention of the members of the Executive Board on the occasion of its 113th session, with a view to including it among the official documents submitted to the Board.

Now more than ever, the Executive Board is obliged to take effective measures to put an end to the Israeli excavations, which threaten to destroy places held sacred by hundreds of millions of Muslims throughout the world. This is an operation than can in no way be passed over in silence, since its consequences would be grave.

Accept, Your Excellency, the assurances of my highest consideration.

(sgd.) Taher MASRI

EMBASSY OF THE HASHEMITE
KINGDOM OF JORDAN

The Ambassador

Since the beginning of the Israeli occupation of Arab territories and the city of Jerusalem, the latter has been subjected to a formidable plan aimed at giving it a Jewish character and altering its Arab and Islamic aspects.

That plan is now entering a dangerous phase, since the Israeli authorities have recently begun excavating around and beneath the Al-Aqsa Mosque and the Dome of the Rock and beneath the adjacent esplanade, with the obvious intention of destabilizing and undermining their foundations in order to build the so-called Temple of King Solomon.

In view of the importance and gravity of this operation, which affronts the feelings of all Arabs and Muslims, the Government of the Hashemite Kingdom of Jordan has decided to submit the following explanatory note.

Israeli attempts to undermine the foundations of the Al-Aqsa Mosque and the Dome of the Rock

Israeli attempts to undermine the foundations of the Al-Aqsa Mosque and the Dome of the Rock have taken place in several stages, the most important of which are as follows:

(1) on 21 August 1969, the occupation authorities claimed that a fire had broken out in the Al-Aqsa Mosque. The fire damaged the Tribune of Saladin and caused cracks in several columns and part of the ceiling. The Arabs of Jerusalem fought the fire with their bodies until they succeeded in overcoming it;

(2) in early 1980, Rabbi Meir Kahane instigated an operation in which explosives were used to attempt to destroy the Al-Aqsa Mosque. Those explosives were discovered 50 metres from the Mosque;

(3) on several occasions groups of Jews have attempted to pray on the esplanade of the Al-Aqsa Mosque, imitating similar events at Abraham's Mosque in Hebron. The same groups also attempted repeatedly, using different gates, to enter the precincts of the Al-Aqsa Mosque in order to pray there. They broke down the Al-Maghariba Gate and the Al-Hadid Gate, and climbed on a nearby building in which occupation troops controlling the esplanade were stationed. But the Muslims confronted them and did everything possible to defend the Mosque;

(4) several Israeli excavations were dug around and under the Al-Aqsa Mosque and beneath the Dome of the Rock. The most important are:

first phase: late 1967 and early 1968. Excavations beneath the southern walls of the Mosque, and over an area of 70 square metres;

second phase: in 1969 excavations covered an area of 80 square metres adjacent to the wall of the Mosque, causing the collapse of neighbouring buildings. The Maghribian Quarter was demolished;

third phase: the 1970 excavations resulted in the weakening of the 'Othman Mosque, the Al-Kurd Hospice and Al-Madrasa Al-Jawhariyya;

fourth phase: the 1970 excavations, which ended beyond the Wall in 1974. They stretched from the south wall of the Al-Aqsa Mosque to the Mosque of 'Omar, crossing through the sanctuary;

fifth phase: the 1975 excavations, which took place on the eastern side of the wall near the Golden Gate. These excavations threatened the Muslim cemetery which is located there;

sixth phase: the plan to enlarge the esplanade of the Wailing Wall, which includes the demolition of all buildings surrounding the Wall in this area. In 1977 an Israeli ministerial commission gave its agreement to this plan, which provides for the destruction of Islamic buildings including the former Islamic law courts known as the Al-Madrasa At-Tankiziyya, the Al-Khalidiyya Library, the religious centre or zawiya and the Abu-Medyan Mosque;

seventh phase: these are the most dangerous excavations undertaken by the Israeli authorities. They began following an announcement by those authorities that they had discovered a tunnel leading beneath the Al-Aqsa Mosque from the Wailing Wall and the Dome of the Rock. The occupation authorities claimed that the tunnel had been discovered a month before the announcement, that it had been surrounded by the greatest secrecy, and that only the two Chief Rabbis of Israel and the Ministers of Religious Affairs and of Defence had been informed. Rumours of the event having reached the media, the Ministry of Religious Affairs was obliged to order the suspension of work and the closing of the tunnel so as to forestall any possible reactions in Israel.

None the less the excavations are continuing. Thus the Israeli Supreme Court has just adopted a decision, dated 4 September 1981, which renders null and void the instructions issued by the Ministry of Religious Affairs, and authorizes the continuation and completion of the work, which was resumed on the morning of 6 September 1981.

The citizens' resistance to the Israeli excavations

The Arab citizens of the West Bank and Jerusalem have resisted the Israeli excavations. They organized a march to the tunnel, which they closed, and called a general strike for the day of 4 September 1981. That strike was effective throughout the occupied Arab territories, where the residents were urged to perform their Friday prayers on 4 September 1981 at the Al-Aqsa Mosque as a sign of protest against the Israeli excavations. However, the Israeli authorities ordered the Holy City to be surrounded and sealed off so as to prevent the crowd of Muslims from reaching the Mosque. The Arab and Islamic organizations of Jerusalem and the occupied territories have all condemned the continuation of the excavations, called for resistance to them and demanded that the work be stopped. Further, Islamic scientific organizations in Jerusalem sent a team of Arab engineers and technicians to close off the tunnel. The team was attacked by the occupation troops, who wounded several of its members. Jewish extremists then destroyed what the Arab workers had built.

The Trade Unions Council of Occupied Jerusalem has published a statement condemning the Israeli excavations and demanding their immediate cessation. It further recalled that the excavations had started one week after the twelfth anniversary of the fire which broke out in the Al-Aqsa Mosque.

The tunnel whose discovery the occupation authorities have just announced is in fact an Islamic monument, as has been confirmed by the scholars of Al-Azhar University, who add that the tunnel was part of the drainage works

constructed during earlier Islamic periods, that it has been closed for decades, and that the mere fact of touching it or opening it constitutes an attack upon the holy places of Islam and a danger to the esplanade and the buildings of the Al-Aqsa Mosque and the Dome of the Rock. The previous Israeli excavations had already caused cracks in the middle of the western gallery of the Mosque.

The continuation by Israel of excavations around and beneath the Al-Aqsa Mosque constitutes a flagrant violation of the decisions of the Security Council, the General Assembly and Unesco, which call on Israel to abstain from any action of that nature. By continuing such action, Israel is not only spurning international law, but also affronting religious beliefs and moral principles and values.

Jordan considers that the Israeli plot to demolish the Al-Aqsa Mosque and the Dome of the Rock continues, that regardless of the occasional contradictions in statements made by Israeli officials as to the present excavations, the truth that they will never succeed in hiding is that they all agree on one point - the Judaization of the Holy City and the annexation of the Al-Aqsa Mosque. In pursuance of that goal, they do not hesitate to make use of religious fanaticism for political purposes and to impose a fait accompli of their own making.

ANNEX II

Permanent Delegation of Israel
to Unesco

Paris, 14 September 1981

Sir,

I feel that misunderstanding may have been caused in regard to two recent quite distinct and unrelated events in Jerusalem.

I would, therefore, like to present a brief, accurate account of both events, the one concerning an underground access leading from the western wall to a cistern underneath the temple mount and the other concerning the City of David outside the walls of the old city.

The access leading from the western wall to the temple mount is an ancient passage which, during the Ottoman period, was blocked and used as a water cistern. This passage is described in the report of a British archaeologist, Sir C. Warren, who surveyed the area 114 (hundred and fourteen) years ago.

Seepage of water from the cistern through the masonry of the western wall led the authorities for religious affairs responsible for the site to open the Ottoman blockage to pump out the water and to begin cleaning the passage. This aroused Muslim concern and led to the spreading of false rumours as to Jewish intentions. A brief brawl between several young Jews and Muslims was quickly brought to an end by the police who immediately reblocked the access and restored the status quo ante. This was done with the full co-operation of the Muslim waqf authorities, who subsequently constructed a second thick wall in the passage itself underneath the temple mount.

The second event concerns excavations in the City of David south of the walls of the old city, which involve the removal of large quantities of unstable earth and rubble which have accumulated in that area (see paragraph 3.3 of Lemaire report as reproduced in document 113 EX/12). Work which had been interrupted in one small sector of that area as a result of a request by the Chief Rabbi of Israel was resumed by permission of the supreme court. The bone of contention is Jewish orthodox concern that the excavations affect an ancient Jewish cemetery. There is absolutely no Muslim involvement in this area.

I take this opportunity to reiterate the determination of the Government of Israel to continue fully to respect the rights of all denominations and communities in Jerusalem.

I have the honour to request that this letter be circulated to the members of the Executive Board as an addendum to document 113 EX/12 before the discussion of item 5.5.1 of the agenda.

Please accept, Sir, the expression of my highest consideration.

(Sgd.) Y. Vered
Ambassador
Permanent Delegate of
Israel to Unesco

M. Amadou-Mahtar M'Bow
Director-General
Unesco
7, place de Fontenoy
PARIS 75700

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Executive Board

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JERUSALEM AND THE APPLICATION OF 21 C/RESOLUTION 4/14

The Director-General wishes to advise the Executive Board that Professor Raymond Lemaire has sent him the following information:

"In the course of my visit, I had observed that extensive earth-moving operations were proceeding on the hill of the City of David, and as I wrote to you on 13 August, these operations appeared to me to be considerably more substantial than would be necessary to ensure the stability of the slopes of the hill. In fact, it seemed to me that in some places the work was creating, or might create, fresh conditions of instability. In view of this situation, I suggested that the general stability of the ground in the excavated area should be examined by an engineer specializing in soil mechanics.

Mrs Vered has just notified me that the Israeli authorities have decided to undertake such an examination and that an Israeli specialist will be designated for that purpose".

United Nations Educational,
Scientific and Cultural Organization

Executive Board

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PARIS, 25 September 1981
Original: English

Item 5.5.1 of the agenda

JERUSALEM AND THE APPLICATION OF 21 C/RESOLUTION 4/14

ADDENDUM 5

SUMMARY

The Director-General has received a communication dated 18 September 1981 from the Permanent Delegate of Israel to Unesco, the text of which is appended.

Permanent Delegation
of Israel to Unesco

PARIS, 18 September 1981

Sir,

I refer to the Jordanian note dated 11 September 1981 (document 113 EX/12, Add.3).

The record of the Jordanian authorities during their occupation of Jerusalem is well known: the exclusion of Jews from living in Jerusalem, the destruction of the Jewish Quarter of the Old City, the desecration and destruction of its shrines and synagogues and of the old Jewish Cemetery on the Mount of Olives; the restrictions imposed upon the Christian communities which led to the dwindling of the Christian population from 25,000 in 1948 to 11,000 in 1967. The object of this policy was to turn the Holy City, a city of a pluralistic character venerated by some 30 religious communities and sects into an Arab Muslim town, as is today claimed by various Arab states and organizations.

The Government of Jordan is well aware of the fact that conservation and preservation works in Jerusalem are carried out in the most satisfactory manner, enhancing the pluralistic character of its heritage, Jewish, Christian and Muslim. They are well aware of the fact that their allegations concerning the so-called "attempts to undermine the foundations of the Al-Aqsa Mosque and the Dome of the Rock" are totally unfounded.

The Jordanian note admits that the tunnel leading to the Temple Mount was closed and the works suspended. Yet, it brazenly alleges that the Supreme Court of Israel has adopted a decision authorizing the continuation and the completion of the work. As I have explained in my letter dated 14 September 1981, the decision of the Supreme Court is in no way related to this area. The Supreme Court has never been called upon in this matter.

The access to the passage, or tunnel, is blocked, closed and guarded by the Israeli Police.

In a vain effort to substantiate the allegation as to the "intentions" of the Israeli authorities, the Jordanian note enumerates so-called Israeli activities in the Temple Mount area, past, present and even future. These claims have already been refuted, more than once. Thus, the special envoys sent by the Director-General of Unesco to Jerusalem in 1968, 1969, 1970 have all refuted the allegations that Israeli excavations weakened the foundations of the Al-Aqsa Mosque or the Omar Mosque, as well as the allegations concerning excavations under the Mosques crossing through the sanctuary. No excavations whatsoever were undertaken under the Mosque or under the Temple Mount.

Mr Amadou-Mahtar M'Bow
Director-General
Unesco
7, place de Fontenoy
75007 Paris

The excavations on the eastern side of the wall, near the Golden Gate were undertaken in the sixties by the British archaeologist, the late Miss Cathleen Canyon, under the permit of the Jordanian Director of Antiquities. The Jerusalem Municipality cleared the earth and rubble heaped in this area, rather distant from the Muslim Cemetery.

As for the fire in the Al-Aqsa Mosque, it is a well-known fact that an unstable Australian youth set fire to the Mosque, on 21 August 1969. That morning, the Mosque was guarded by three guardians at the service of the Waqf, aged 77, 72 and 32 respectively. The youngest among them admitted the youth into the Al-Aqsa Mosque after having received a tip.

The statement concerning Jewish prayers on the Temple Mount adds insult to injury. Though the Temple Mount is the holiest site in Judaism, Jews are not authorized to pray on the Temple Mount, out of respect and circumspection to Muslim sensitivity. It is the Israeli Police who impede Jews from praying in this holy area. Members of the Board surely know that Jews and Israeli Muslims did not have any access to their Holy Shrine between 1948 and 1967.

The so-called seventh phase is an exercise in unfounded futurology. No plan has been accepted for the Esplanade of the Wailing Wall. Not only no plan exists for the destruction of the sites mentioned, but the Israeli authorities have repaired the Al Madrassa At-Tankiziyya which was in a state of depredation and neglect, and reinforced the foundations of the Al Khalidiyya Library endangered by a failing sewage system in the vicinity, neglected by the Jordanian occupation authorities.

I again take this opportunity to reiterate the determination of the Government of Israel to continue fully to respect the rights of all denominations and communities in Jerusalem.

I have the honour to request that this letter be circulated to the members of the Executive Board as an addendum to document 113 EX/12 before the discussion of item 5.5.1 of the agenda.

Please accept, Sir, the expression of my highest consideration.

(Signed) Yael VERED
Ambassador
Permanent Delegate of Israel
to Unesco

ANNEX VI

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-fourteenth Session

114 EX/17
PARIS, 20 April 1982
Original: English/French

Item 5.4.2 of the provisional agenda

JERUSALEM AND THE IMPLEMENTATION OF 21 C/Resolution 4/14

SUMMARY

In resolution 4/14 adopted at its twenty-first session, the General Conference invited the Director-General to keep a constant watch on the execution of the resolutions and decisions of the General Conference and Executive Board concerning Jerusalem and requested him to inform the Executive Board, at its 113th session, of developments in that matter. In decision 5.5.1 adopted at its 113th session, the Executive Board invited the Director-General to undertake a study of the situation of all the cultural property located in Jerusalem and of the dangers to which it is exposed so that the Executive Board can identify the facts making it possible to take the decision that the situation warrants, and decided to include that item on the agenda of its 114th session. In this document, the Director-General informs the Executive Board of action he has taken to give effect to the above-mentioned decision and submits to it the information available to him as at 25 March 1982 in order to enable the Executive Board to follow developments in the situation of Jerusalem in connection with 21 C/Resolution 4/14.

In order to reduce current stocks of coloured paper, all documents for the 114th session of the Executive Board will be printed on salmon-pink paper.

I. INTRODUCTION

1. At its 113th session, the Director-General informed the Executive Board of action taken to give effect to General Conference resolutions 21 C/4/14 and 21 C/4/01 and of the communications sent to him on the subject of Jerusalem (documents 113 EX/12 and its five addenda).

2. After considering these documents, the Executive Board adopted decision 5.5.1, the operative part of which is worded as follows:

'Thanks the Director-General for what he has done and the representations he has made to secure implementation of the resolutions concerning the protection of cultural property located in Jerusalem;

Notes with satisfaction the World Heritage Committee's decision to include the old city of Jerusalem and its walls on the World Heritage List;

Recommends that the World Heritage Committee speed up the procedure for including the old city of Jerusalem and its walls on the List of World Heritage in Danger;

Expresses its deep concern at the grave threat posed to the old city of Jerusalem and its walls by Israel's continued excavations and transformations;

Condemns Israel's persistent and deliberate violations of the resolutions adopted by Unesco in this connection;

Invites the Director-General to undertake a study of the situation of all the cultural property located in Jerusalem and of the dangers to which it is exposed so that the Executive Board can identify the facts making it possible to take the decision that the situation warrants;

Decides to include this item on the agenda of its 114th session'.

II. MISSION TO JERUSALEM

3. In pursuance of 113 EX/Decision 5.5.1 adopted by the Executive Board and in the light of resolutions 21 C/4/14 and 21 C/4/01 adopted by the General Conference, the Director-General is considering sending to Jerusalem a group of five specialists of recognized competence in matters of the preservation of the architectural and archaeological heritage, to carry out a study of the situation of all the cultural property located there and of the dangers to which it is exposed. The Director-General has proposed to the Government of Israel that the mission should take place as from 28 April 1982. The Executive Board will be informed of all developments concerning this mission at its 114th session.

III. COMMUNICATIONS RECEIVED BY THE DIRECTOR-GENERAL ON THE SUBJECT OF JERUSALEM

4. Since the 113th session of the Executive Board, the Director-General has received three communications informing him that the Islamic cultural heritage located in Jerusalem is threatened with destruction and requesting him to take action to ensure that this heritage is protected and preserved. In order to provide the Executive Board with all the information in the Director-General's possession and to assist the Board in reviewing developments in the situation regarding Jerusalem in pursuance of 21 C/Resolution 4/14 adopted by the General Conference, the Director-General brings these three communications to the notice of the Executive Board.

5. On 28 October 1981, the Director-General received a cable from the Chairman of the Executive Committee of the Arab Cities Organization in Bahrain. The text of the cable, which was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 7 December 1981 together with a request for his government's comments, is reproduced below:

'The Executive Committee of the Arab Town Organization meeting today in Bahrain studied the memorandum directed by the Arab Municipalities and National Institutions in occupied Palestine to His Excellency the Secretary-General of the United Nations on 14 September 1981 regarding the inhuman Israeli aggressions against the Palestinian people, their freedom, lands, properties, cultural heritage, laws, education, sources of water and electricity. The Committee further studied another memorandum submitted by the expelled mayor of Jerusalem, Mr Rouhi Al Khatih who has been living in Amman since March 1968 regarding the continuous illegal Israeli excavations around and under the third holiest Islamic places all over the world, namely the Al-Aqsa and the Dome of the Rock Mosques in Jerusalem and the cultural and historical buildings around them and which are all facing the danger of cracking and demolishing. Our Committee greatly horrified by all these aggressions and find in these memoranda foreseen danger as a result of the planned determination of the Israeli military occupying authorities to liquidate the Palestinian entity and to obliterate their heritage and holy Islamic places and which are forming complete violations to the Charter of Human Rights, the Conventions and international decisions and are an acute challenge to the United Nations.

Our Committee appeals to you and your esteemed Organization calling for decisive and quick justified measures to condemn and stop these Israeli inhuman aggressions for the protection of human rights and respect to International Conventions and Resolutions.

SH. Abdulla Mohd Ebrahim Al-Khalifa Chairman of the Executive Committee of the Arab Cities Organization in Bahrain'.

6. The Director-General received a cable from the Secretary-General of the Muslim World League on 4 November 1981. The text of the cable, which was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 8 January 1982 requesting his comments, is reproduced below:

'Rabitat Alalam Alislami (Muslim World League) which represents all Muslim peoples strongly condemns repeated Israeli violation and profanation of Muslim shrines in occupied Palestine. They have tried to burn down Al-Aqsa Mosque, violated the Ibrahimi Mosque by converting part of it into a synagogue and today the international media bring to us their violation of Hassan Bey Mosque at Tel-Aviv. It has always been the wont of Muslims everywhere to perform their religious devotion in a dignified and peaceable manner without ever offending the votaries of other faiths by trespassing into their temples. We appeal to you for immediate intercession with the Israeli Government to stop such acts of aggression against Muslims at their places of worship. It is a matter of simple human rights to allow Muslims all their freedom to worship without either let or hindrance from any quarter. Please communicate to us the action you have taken in this regard. Regards Mohammed Ali Alharkan Secretary-General/Rabita'.

7. In addition, the Office of the General Islamic Congress for Bait Ul-Maqdis in Amman sent the Director-General a letter[1] dated 9 December 1981, which was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 9 February 1982 with a request for his Government's comments. The letter is reproduced below:

1. Original Arabic.

'Sir

On the occasion of Islamic Holy Places in Palestine Day, a mass meeting was held at the office of the General Islamic Congress for Bait Ul-Maqdis in Amman. The participants reviewed the situation of the Islamic holy places in Palestine and the acts of Zionist aggression against cultural landmarks and educational institutions in the occupied West Bank. The meeting decided to address a memorandum to you urging you to send an official Unesco commission to inquire into conditions in the West Bank and to discover the reality of Zionist practices aimed at obliterating the Islamic and cultural characteristics of the Islamic holy places, particularly in Jerusalem and Hebron: for it is essential that the reality of Zionist attacks against religious and educational institutions in the West Bank should be known, that world public opinion should be made aware of these aggressive practices and that international organizations and bodies should be urged to disavow and condemn dealings with the Zionist occupation authorities in their different cultural, scientific and educational programmes.

In sending you this memorandum, the office of the General Islamic Congress for Bait Ul-Maqdis in Amman is confident that you will give it your most careful consideration and that you will take practical measures that are commensurate with Unesco's role in safeguarding the cultural heritage of nations and peoples.

Office of the General Islamic Congress
for Bait Ul-Maqdis in Amman'

8. As of 25 March 1982, the Director-General had received no reply from the Permanent Delegate of Israel on the substance of the issues dealt with in these three communications; the Secretariat had merely received from the Permanent Delegate of Israel a communication dated 11 March 1982, which is reproduced below:

'Sir

Thank you for your letter CLT/CH/OI/7.1/308/672, dated 9 February 1982.

In your above-mentioned letter, you asked for my remarks concerning the letter from the "General Islamic Congress for Bait Ul-Maqdis", addressed to the Director-General of Unesco.

To my knowledge, "the General Islamic Congress for Bait Ul-Maqdis", is not recognized by Unesco and has no status whatsoever in the organization.

Please accept, Sir, the assurances of my highest consideration.

Y. Vered
Ambassador
Permanent Delegate'

IV. PROPOSAL TO INCLUDE THE 'OLD CITY OF JERUSALEM AND ITS WALLS' ON THE LIST OF WORLD HERITAGE IN DANGER

9. With regard to the recommendation addressed by the Executive Board, in decision 5.5.1 adopted at its 113th session, to the World Heritage Committee concerning the procedure for including the old city of Jerusalem and its walls on the List of World Heritage in Danger, the Director-General conveys to the Executive Board the following information.

10. In letters dated 30 December 1981, the Permanent Delegate of the Hashemite Kingdom of Jordan to Unesco submitted to the Chairman of the World Heritage Committee a proposal to include 'the old city of Jerusalem and its walls' on the World Heritage List and a request for technical co-operation for this property, requesting him to submit this proposal and request to the Bureau of the World Heritage Committee in the course of 1982.

11. In accordance with the procedure established by the World Heritage Committee, the Secretariat communicated the proposal and request for technical co-operation to the International Council of Monuments and Sites (ICOMOS) on 11 January 1982, in order that the latter might consider them and make a recommendation on the subject to the Bureau of the World Heritage Committee.

12. The files on the proposal and the request for technical co-operation and the comments of ICOMOS on the subject will be submitted to the Bureau of the World Heritage Committee at its next meeting, to be held at Unesco Headquarters from 21 to 24 June 1982.

APPLICATION OF THE CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT (THE HAGUE, 14 MAY 1954)

13. At its 113th session, the Executive Board was informed, in document 113 EX/12, Add.2, paragraph 5, of the agreement of the states concerned to the appointment of the following as Commissioners-General for Cultural Property:

to the Governments of the Hashemite Kingdom of Jordan, Lebanon and the Syrian Arab Republic, Professor Cesare Brandi, of Italian nationality; and

to the Government of Israel, Dr Hans Rudolf Sennhauser, of Swiss nationality.

The Director-General informs the Executive Board of developments in this matter.

14. Having been informed of this agreement, the Director-General took the necessary steps to prepare the entry into office of the two Commissioners-General for Cultural Property and invited Professor Cesare Brandi and Professor H.R. Sennhauser to assume these functions.

In a letter dated 28 December 1981, Professor H.R.C. Sennhauser replied that he wa willing to carry out these functions but Professor Brandi informed the Director-General, in a letter dated 27 December 1981, that he was unable to accept the appointment.

16. On 25 January 1982, the Secretariat conveyed Professor Brandi's reply to the Permanent Delegates to Unesco of the Hashemite Kingdom of Jordan, Lebanon, the Syrian Arab Republic and Switzerland, the latter country having been chosen by the states concerned as a neutral state to act as protecting Power with a view to the appointment of Commissioners-General.

17. The Permanent Delegate of Switzerland has informed the Secretariat that, immediately on receipt of this reply, he had again taken steps with a view to the nomination of a Commissioner-General for Cultural Property to be accredited to the Arab Governments concerned.

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-fourteenth Session

114 EX/17 Corr.
PARIS, 10 May 1982
English only

Item 5.4.2 of the agenda

JERUSALEM AND THE IMPLEMENTATION OF 21 C/RESOLUTION 4/14

Corrigendum

In paragraph 10, line 3, replace the words 'World Heritage List' by 'List of World Heritage in Danger'.

In order to reduce current stocks of coloured paper, all documents for the 114th session of the Executive Board will be printed on salmon-pink paper.

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-fourteenth Session

114 EX/17 Add.
PARIS, 26 April 1982
Original: English

Item 5.4.2 of the provisional agenda

JERUSALEM AND THE IMPLEMENTATION OF 21 C/RESOLUTION 4/14

Addendum

SUMMARY

The Secretariat has received a communication from the Permanent Delegate of Israel, dated 16 April 1982, the text of which is attached.

In order to reduce current stocks of coloured paper, all documents for the 114th session of the Executive Board will be printed on salmon-pink paper.

Permanent Delegation of Israel
to Unesco

Paris, 16 April 1982

Sir,

I have the honour to refer to your letter CLT/CH/OI/308/626 of 8 January 1982, concerning the cable received by the Director-General from the Secretary-General of the Muslim World League.

I would like to bring to your attention the following observations.

The Hassan Bey mosque is situated in the city of Tel-Aviv, a universally uncontested area under Israeli sovereignty.

I am surprised that the above-mentioned organization raises wholly unfounded allegations, not only recent but also some old ones which have been refuted long ago, particularly in view of the fact that the Hassan Bey mosque is being repaired and rehabilitated according to the original plans of the building.

I wonder whether the Muslim World League has acted similarly when the Syrian army recently shelled and destroyed mosques in the city of Hama?

Please accept, Sir, the assurances of my highest consideration.

(signed) Y. Vered
Ambassador
Permanent Delegate

Mr Dragoljub NAJMAN
Assistant Director-General
Co-operation for Development
and External Relations Sector
Unesco

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-fourteenth Session

114 EX/17 Add.2
PARIS, 3 May 1982
Original: English

Item 5.4.2 of the provisional agenda

ADDENDUM 2

JERUSALEM AND THE IMPLEMENTATION OF 21 C/RESOLUTION 4/14

SUMMARY

The Secretariat has received a communication from the Permanent Delegate of Israel, dated 21 April 1982, the text of which is attached.

Permanent Delegation of Israel
to Unesco

Paris, 21 April 1982

Sir,

I have the honour to refer to your letters, CLT/CH/01/308/896 of 8 April 1982 and, CC/CH/01/308/543 of 7 December 1982 and the attached letter of the Executive Committee of the Arab Town Organization, which unfortunately I received only this week.

The allegations that the cultural and historical buildings around the mosques of El-Aksa and the Dome of the Rock are in danger of cracking of demolition are totally unfounded. In this connection I would like to draw your attention to the findings of Professor R. Lemaire as contained in the report of the Director-General to the 113th session of the Executive Board, DOC. 113 EX/12 of 20 August 1981.

> 'Jewish Quarter. There are no excavations or borings under way. Professor Avigad has just published, in Hebrew, the general report on the excavations carried out by him in the sector in the last ten years. An English translation is to be printed soon ...
>
> Safeguarding operations have been carried out for the maintenance and display of the remains of the 'Nea', a famous church built in the sixth century under the Emperor Justinian ...
>
> The excavations near the Haram al-Sharif have been at a standstill since 1976. Since my last visit in April 1979, a considerable amount of conservation and presentation work has been carried out, mainly in the area outside the rampart between the Double Gate and the south-eastern angle of the old wall. This area is known to contain remains of monuments, chiefly from the Herodian, Byzantine and Ommiad periods. The upper part of the walls, uncovered in the course of excavations, has been in various circumstances reinforced, dismantled and rebuilt or raised. In most cases the original parts are readily distinguishable from those remade or reconstituted. The people in charge of the projects have clearly set out to apply the principles of the 1964 Venice Charter on the subject... The remains from the Roman, Byzantine and Ommiad periods have been maintained without discrimination ...
>
> Excavations in the 'City of David'. Work has been under way in this area since 1978. It had been undertaken in order to remove the very large quantities of unstable earth and rubble accumulated by, inter alia, the numerous excavations carried out in the sector since the beginning of this century (see my report of 3 October 1978). This development was to be executed under archaeological supervision and accompanied by borings and consolidation of the remains brought to light in the course of previous excavations, often left without any maintenance and even in danger of disappearance ...'

Mr Dragoljub Najman
Assistant Director-General
Sector for Co-operation for
Development and External Relations
Unesco
7 place de Fontenoy
Paris 75007

I take this opportunity to draw your attention to the fact that all the mosques in the city of Hamma--eighty in number--except one, have been destroyed by the Syrian military forces. The old quarter of the city, including important Roman, Byzantine and Moslem cultural properties, have been razed to the ground (Article of eye witness, correspondent P. Michelsen, as published in the Dutch Daily Handelsblaat from 14 April 1982).

Apparently the Arab Town Organization did not deem it necessary to prevent this wanton destruction.

I would be thankful if this letter would be included in the report of the Director-General to the 114th Executive Board.

Please accept Sir, the assurances of my highest consideration.

(sgd.) Y. Vered
Ambassador
Permanent Delegate

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-fourteenth Session

114 EX/17 Add.3
PARIS, 10 May 1982

Item 5.4.2 of the agenda

JERUSALEM AND THE IMPLEMENTATION OF 21 C/RESOLUTION 4/14

ADDENDUM 3

1. In this document the Director-General wishes to inform the Executive Board of the reply from the Government of Israel on the subject of the mission of five specialists which he proposed to send to Jerusalem to study the situation of all the cultural property located there, as indicated in paragraph 3 of document 114 EX/17.

2. On 15 April 1982 the Director-General received a communication from the Permanent Delegate of Israel as follows:

'I acknowledge with thanks the receipt of your letter DG/4/5/01/308/867 of 1 April 1982, in which you inform me of your intention to send a mission of five specialists to study the present situation of the cultural heritage in Jerusalem.

There would appear to be a lack of clarity as to the legal basis of that mission.

It would seem that a mission to study "The present state of the cultural heritage of Jerusalem" would fall within the framework of the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), to which Israel is not a party.

I should be grateful for your clarification to enable me to forward to Jerusalem your request.

May I add that your letter refers to resolution 4/14 adopted by the General Conference at its twenty-first session. As you are certainly aware, the Delegation of Israel at the conference opposed that purely politically motivated resolution.'

3. The reply sent by the Director-General to the Permanent Delegate of Israel, dated 16 April 1982, is reproduced below:

'I have the honour to acknowledge receipt of your letter of 13 April 1982 in which you inquire about the legal basis of my proposal to send a mission to study the present situation of the cultural heritage in Jerusalem.

As you know, the General Conference authorized me, in resolution 4/01 adopted at its twenty-first session, to implement activities contributing to the achievement of objective 7.6 which relates to the promotion of the preservation and presentation of the cultural and natural heritage of mankind, "by ensuring the presence of Unesco in Jerusalem with a view to the preservation of the city and the site" (21 C/Resolution 4/01, 2(g)).

As I stated in my letter DG/4.5/01/CH/308/867 dated 1 April 1982, it is with a view to acting on 21 C/Resolution 4/01 that I wish to entrust to a group of five specialists of recognized competence the task of studying the present situation of the cultural heritage in Jerusalem and of reporting back to me.

I hope that the mission can be carried out in the very near future, and I should be obliged if you would kindly forward my proposal to your government and inform me of its reply as soon as possible'.

4. In a communication dated 26 April 1982 the Permanent Delegate transmitted the following information to the Director-General:

'I have the honour to acknowledge receipt of your letter DG/4/5/CH/308/DGR/911 of 16 April 1982.

In my letter of 20 April 1982 I informed Ambassador Hummel of my government's agreement to the appointment of Professor H.R. Sennhauser as Commissioner-General under the Convention for the Protection of Cultural Property in the Event of Armed Conflict. In my letter of 20 April 1982 to Ambassador Hummel, we proposed Professor Gisberto Martelli as Commissioner-General to the Hashemite Kingdom of Jordan, the Syrian Arab Republic and Lebanon. I hope that upon receiving the agreement of those governments to the appointment of Professor Martelli, the Commissioners-General will commence functioning as soon as possible, and that they will be able to examine and report on the state of the cultural property in the countries to which they are appointed, under the terms of Article 6 of the regulations for the execution of the above-mentioned convention.

As you know, after discussions between the Government of Israel and the Director-General of Unesco, an arrangement was reached according to which the Director-General of Unesco would appoint a qualified person as his personal representative for Jerusalem. The Israeli authorities assured the Director-General that they would extend all facilities to enable that representative to carry out his functions.

Later, the Government of Israel accepted the Director-General's proposal to appoint Professor R. Lemaire. Since then this arrangement has been carried out to the satisfaction of all concerned. The Director-General considered that through this arrangement he has complied with the relevant resolutions of the General Conference.

The Government of Israel is fully aware of the universal interest in the cultural and historical sites in Jerusalem. Accordingly, it is willing to continue its co-operation with Unesco within the framework of the above-mentioned arrangement and will gladly receive Professor Lemaire and extend to him all necessary facilities, as in the past. Since 28 April is our independence day, Professor Lemaire would be welcome any time after this date.

As the Commissioner-General, as well as your personal representative will be amply able to study and report on the preservation of cultural property in Jerusalem, the dispatch of another mission under resolution 22 C/6/01 would not appear to us to be necessary for that purpose.'

5. The Director-General can only take note of the fact that the Government of Israel, although stating that it is willing, as in the past, to receive Professor Raymond Lemaire, does not accept the proposed mission of five specialists. The safeguarding of a historical centre of such exceptional cultural and religious importance as Jerusalem raises complex preservation problems. As a result, a study of the situation of all the cultural property located in Jerusalem calls for co-operation among specialists representing the various scientific and technical fields concerned. The Director-General therefore considered it desirable that a group of highly competent specialists in the fields of architectural preservation, town-planning and archaeology should be able to proceed to the site in order to study the present situation of the old city of Jerusalem as a whole. The Director-General accordingly regrets the unwillingness of the Government of Israel to allow the group that he has nominated to proceed to the site.

6. As regards the application of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, as soon as the Commissioner-General for Cultural Property to be accredited to the Governments of the Hashemite Kingdom of Jordan, Lebanon and the Syrian Arab Republic has been nominated by common consent of all the parties concerned, the Director-General will take the necessary steps to enable the two Commissioners-General for Cultural Property to assume their functions as soon as possible as Commissioners-General to the Israeli Government, on the one hand, and to the Arab governments concerned, on the other.

ANNEX VII

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-sixteenth Session

116 EX/18
PARIS, 31 May 1983
Original: English/French

Item 5.4.1 of the provisional agenda

JERUSALEM AND THE IMPLEMENTATION OF 21 C/Resolution 4/14

SUMMARY

In resolution 4/14 adopted at its twenty-first session, the General Conference invited the Director-General to keep a constant watch on the execution of the resolutions and decisions of the General Conference and Executive Board concerning Jerusalem and requested him to inform the Executive Board, at its 113th session, of developments in that matter. Having considered the information submitted by the Director-General to the Executive Board at its 113th and 114th sessions, the Board invited the Director-General, in decision 5.4.2 adopted at its 114th session, to continue his efforts 'to enable a mission to be sent to study the situation in occupied Jerusalem on the spot, in order that a report on this subject may be submitted to the Executive Board at its 116th session'. In this document, the Director-General informs the Executive Board of action he has taken to give effect to the above-mentioned decision and submits to it the information available to him as at 10 May 1983 in order to enable the Executive Board to follow developments in the implementation of 21 C/Resolution 4/14.

I. INTRODUCTION

1. At its 114th session, the Director-General informed the Executive Board of action taken to give effect to General Conference resolutions 21 C/4/14 and 21 C/4/01 and of the communications sent to him on the subject of the protection of the cultural heritage of Jerusalem (documents 114 EX/17 and its three addenda).

2. After considering these documents, the Executive Board adopted decision 5.4.2, the operative part of which is worded as follows:

'Reaffirms the previous resolutions and decisions of the General Conference and the Executive Board concerning cultural property in Jerusalem;

Strongly condemns Israel's repeated refusal to implement those resolutions and decisions;

Recommends to the General Conference that at its twenty-second session it consider the situation brought about by Israel's refusal to implement the resolutions and decisions adopted by the General Conference and the Executive Board, and that it take such action as it may deem appropriate in the matter;

Strongly denounces the act of aggression committed by Israeli soldiers against the Al-Aqsa Mosque, which led to the death of several of the faithful;

Recommends to the World Heritage Committee that it speed up the procedure for including the Old City of Jerusalem and its walls in the List of World Heritage in Danger;

Invites the Director-General to continue his efforts to enable a mission to be sent to study the situation in occupied Jerusalem on the spot, in order that a report on this subject may be submitted to the Executive Board at its 116th session'.

II. MISSION TO JERUSALEM

3. In pursuance of 21 C/Resolution 4/14 and 21 C/Resolution 4/01 adopted by the General Conference and 114 EX/Decision 5.4.2 adopted by the Executive Board, the Director-General sent his personal representative, Mr Raymond Lemaire, a professor at the University of Louvain, on mission to Jerusalem from 5 to 12 April 1983. On completion of the mission, which was carried out after consultation with the Government of Israel, Professor Lemaire submitted his report to the Director-General which is reproduced in full below:

'1. Purpose of the mission: to draw up a general report on the state of the monumental heritage of the city of Jerusalem.

The survey covered not only the monuments and monumental sites or excavations on which work has been in progress for several years but also certain general aspects of the historical city and the overall development of the urban area.

Within the limits of the resources and time available, this report contains a realistic and objective analysis of the situation with regard to the conservation of the monumental heritage of Jerusalem, particularly the archaeological remains, buildings or parts of the city which have given rise to contention or concerning which complaints or criticism have been voiced to the Director-General. This report is intended to provide the latter with information enabling him to assess the situation prevailing on the spot.

The political dimension of the problems dealt with has been deliberately left out of account. The legal references provided in some cases are intended only to clarify the context of a problem. Their source is generally the official authorities concerned by the problem in question.

The technical and scientific assessments are made on the basis of generally accepted knowledge or standards in the fields concerned.

This report is the continuation of a long series of similar documents drawn up regularly since 1971. Monuments or matters dealt with previously are mentioned only if they have been the subject of further problems.

2. Persons met

His Excellency Mr J. Burg, Minister of the Interior, Minister of Religious Affairs
Mr T. Kollek, Mayor of Jerusalem
Mr H. Bar-On, Deputy Director-General of the Ministry of Foreign Affairs
Mrs A.M. Lambert-Finkler, Ambassador, Head of the Division of International Organizations at the Ministry of Foreign Affairs
Mr Y. Bar Sella, Deputy Attorney-General, Ministry of Justice
Mrs D. Beinish, Deputy State Attorney, Ministry of Justice
Mr Y. Caspi, Commander, Southern Police District
Mr S. Ovnat, Special Adviser to the Mayor of Jerusalem
Mr A. Eytan, Director of the Department of Antiquities
Mr S. Aronson, Architect
Mr Avigad, Professor at the Hebrew University
Mr D. Bahat, Conservator of Jerusalem, Department of Antiquities
Mr M. Ben-Dov, Professor at the Hebrew University
Mr A. Byran, Honorary Director of the Department of Antiquities, member of the National Commission for Unesco
Mr Mazar, Professor at the Hebrew University
Mr Y. Mintzker, Architect attached to the Department of Antiquities
Mr A. Niv, Engineer in charge of town planning attached to the Jerusalem Municipal Council
Mr E. Shiloh, Engineer attached to the Ministry of Religious Affairs
Mr I. Shiloh, Professor at the Hebrew University
Mr E. Sarfati, Adviser to the Division of International Organizations, Ministry of Foreign Affairs
Mr Y. Yaacovy, Chairman of East Jerusalem Development Ltd.
His Eminence Mr Salahedin Al Alami, Grand Mufti of Jerusalem
Mr I. Awad, Engineer in charge of the restoration of the Al-Aqsa Mosque
Mr Dakkak, Engineer
Mr F. El Husseini, Director of the Institute of Islamic Studies
Mr El Khatib, former Governor of Jerusalem
Mr Houbiya
Mr Husseini, Engineer, Head of the Department of Waqf Monuments, Jerusalem
Mr N. Jube, Curator of the El-Aqsa Museum
Mr Y. Natsheh, Head of the Waqf Department of Archaeology, Jerusalem

3. The city of Jerusalem and its urban area

Like most of the world's cities, Jerusalem is constantly changing. Major changes have occurred ever since the foundation of the State of Israel but the process has speeded up considerably since 1967. Most of my previous reports mentioned the alterations in progress at the time.

Since August 1981, the date of my last mission, there has been little change worthy of note in the general landscape of the city. A number of high-rise buildings in course of construction for several years have been completed. They are all in the Israeli part of Jerusalem at a good distance from the old city. Their silhouette blends with that of the tower blocks constructed in previous years. However, they add to the regrettable crowding of the background to the historic city, which is one of the world's most beautiful cityscapes.

In the peripheral urban area, mention should be made of the extremely large new residential area being built to the south-west of Nabi-Samuel. The present built-up area was to be developed as a "residential urban zone" in the master plan for the city drawn up in 1968 and covering the period up to 2010. It is situated to the east of the border of the State of Israel and hence in the West Bank.

The same is true of the satellite town of Maalé Adomin, some ten kilometres east of Jerusalem, and of the adjoining industrial zone. In a report dated 30 August 1976, I mentioned this new settlement in the middle of the desert near the road linking Jerusalem to Jericho. According to Mr Niv, the engineer responsible to the Municipal Council for town planning, more than a thousand dwellings have already been completed. Maalé Adomin is a link in the vast chain of new settlements within the municipal boundaries of Jerusalem as extended after 1967 to take in both Israeli and West Bank territory. The aim is to expand the urban area, which is already extremely large and relatively crowded in Israeli territory, into occupied territory to north, east and south of the old city.

In connection with the establishment of new Jewish colonies in the municipal territory of Jerusalem, Mr Habib Chatty, Secretary-General of the Organization of the Islamic Conference, sent a letter dated 20 March 1983 to Mr M'Bow, Director-General of Unesco, concerning a plan to establish a settlement in the vicinity of the Al-Aqsa Mosque and the Dome of the Rock which was being "seriously contemplated".

Questioned about the existence of such a project, Mr J. Burg, Minister of the Interior and of Religious Affairs, denied its existence and asked me to make a formal statement to the effect that "no such plan exists". This statement may be compared with that of Mr Teddy Kollek, the Mayor of Jerusalem, who asserted that over and above the Arab property hitherto expropriated in the municipal area "not a single inch of Arab soil will be expropriated in the future", except if it is needed for building schools for the Arab population, for road construction or for certain public utilities such as a water-treatment plant.

It is possible that the fear expressed by Mr Habib Chatty, however, concerned not so much the building of new districts in the vicinity of the Haram outside the enclosure as the establishment of Jewish yeshiva (religious education centres) in the Arab quarter of the old town in the immediate vicinity of the Haram al-Sharif. A limited number of small yeshivas, three it would appear at present, have in fact been established by Jewish communities in recently purchased houses. One of them is situated in El Wad street not far from Suq al-Qattanin on the route taken by most religious Jews coming from the Damascus Gate to pray at the Wailing Wall. I shall be considering the psychological impact of the establishment of these yeshiva later in this report.

4. Public works schemes in the old city

The principal public works projects in the historic city are: reconstruction of the drainage system and water and electricity conduits, resurfacing of streets and squares, improvement of public lighting, renovation of shop fronts, improvements in the outer precincts of the ramparts, removal of the heaps of refuse within the ramparts and removal of television aerials. The restoration and reconstruction of the Jewish quarter in the historic city fall into a different category since, unlike the rest of the city, this sector was seriously damaged during the 1948 war.

These schemes were initiated in 1969. They have been carried out in stages since then, depending on the availability of funds.

4.1 Three-quarters of the work on reconstruction of infrastructures (sewers, water conduits, electricity distribution cables) has been completed, according to Mr Yaacovi, President of East Jerusalem Development Ltd., the entity responsible for carrying out the work. In my previous reports from 1976 onwards, I have stressed the need for these works, since the old drainage system was manifestly incapable of accommodating the sharp increase in water consumption.

While the desirability of these works seems beyond dispute, even in the opinion of the city's Arab population, serious criticism may be levelled against the way in which they have been executed. The authorities are reproached for having failed to take sufficient account of the state of the buildings lining the streets, for having carried out part of the work during the winter rains, thus causing increased inconvenience of access to houses and enhancing the risk of soil erosion and the flooding of basements. The Waqf architects showed me two houses, one at the corner of Ruman Street and Antonia Street and the other on Antonia Street in the Muslim quarter, which are badly cracked.

In the same street, Mr Yaacovi drew my attention to another house so seriously damaged by soil movements that it had to be reconstructed at the expense of his organization. The houses in question are not very old (nineteenth or even early twentieth century). They form part of Jerusalem's vernacular architecture and are built of local stone with barrel vaulting or cupolas. The house on Antonia Street is cracked in a way typical of walls which have become unstable owing to defects in the foundations. The cracks are very recent because they have affected a newly applied coat of paint. A vaulted arcade is sagging dangerously. The administration of East Jerusalem Development Ltd. have installed equipment to monitor the movement of cracks (Demeg).

To my mind, unless reinforcement measures are taken soon, a partial collapse of the house cannot be ruled out. The large vaulted upstairs room surmounted by a cupola is particularly exposed to risk, since the load-bearing elements on the street side are tending to pivot or subside. I expressed my concern to Mr T. Kollek, the Mayor of the city, who requested Mr Yaacovi, in my presence, to have the necessary consolidation measures taken forthwith.

I asked the Waqf architects whether they could show me cases similar to those referred to above. They did not mention any others apart from the Al-Muhaket and Shehabi houses dealt with in my report on 13 March 1980.

No noteworthy new cracks were discernible in the façades of the streets in the Muslim quarter which have just been provided with a new infrastructure. An examination of this kind, however, is far from thorough because damage is usually more visible in the interior of houses.

The effectiveness of the new drainage system is borne out by the fact that some of the basements of buildings which were regularly flooded previously are now permanently dry. One case in point is the crypt of the patriarchal Armenian church of Our Lady of the Spasm. On the other hand, the Waqf architects said that in the lower sections of the Arab district the new sewers had had some difficulty in absorbing the winter rains which had admittedly been exceptionally heavy.

It is therefore difficult, in the absence of specific complaints, to reach any equitable conclusion regarding the criticism of the way in which the work was executed. Mr Yaacovi claims that his engineers study the work in hand with great care and take all necessary measures to prevent or, at all events, limit the consequences of the major public works carried out in the old city. They are clearly confronted with particularly difficult technical conditions. The streets are generally very narrow (often less than 2 to 3 metres wide) and space must be left for the passage of pedestrians and goods while the work is being carried out. The subsoil is extremely variable and unstable, since it usually consists of superimposed layers of debris, several metres thick, accumulated over a period of more than two thousand years and cluttered with walls, old drainage systems, cisterns still in use or filled in, etc. The foundations of the houses rest on this debris and are not very deep in many cases. In the lower quarters of the city, the mortar of the walls has been eroded by dampness and salts. It is for all these reasons that vernacular building structures tend to be fragile. Excavations undertaken at the foot of their walls may render them unstable.

The fact that relatively few complaints have been made, at least according to the information I was given both by the Waqf architects and the municipal authorities, would seem to indicate that the condition of adjacent buildings was taken into account in executing the work. There is always the possibility, however, that fresh damage will come to light as time goes on. The soil may be slow to settle after excavations and the process is liable to become more pronounced after a period of heavy rain. Furthermore, the installation of a new sewage system beneath the preceding one results in additional drainage of the soil which may accentuate the settlement process.

More than 4,500 metres of streets have been resurfaced and work is in progress on another 1,500 metres. The vast majority of these projects are in the Muslim and Christian quarters.

The Arab authorities and dignitaries complain of the difficulties encountered by the population in securing reparation of the damage caused to their houses by public works. The Municipal Council allegedly advises the householders concerned that they must either carry out the necessary repairs themselves or have them carried out by the municipal services at their own expense. These notices apparently contain no reference to financial compensation. However, according to Mr Yaacovi, a badly damaged house referred to above was extensively reconstructed at the expense of the Municipal Council.

According to the same Arab sources, when the condition of a building is such that reconstruction rather than repair is necessary or when the owner deliberately opts for this alternative because it is more in keeping with the use he wishes to make of his property, it is virtually impossible to obtain a building permit. The fact that some buildings, such as the Al-Muhaket and Shehabi houses referred to above, are demolished after infrastructure work, is allegedly due to this situation. An Israeli architect whom I questioned about the matter said that the difficulty lay not in the impossibility of obtaining a permit as such but in the fact that any building project in Israel must be backed by plans drawn up or countersigned by an architect of Israeli

nationality. This measure is in force in the old city of Jerusalem because it is regarded as Israeli territory. It would seem that the Arab householders and the Waqf in particular refuse to comply with this measure.

I asked the Israeli authorities to give me a full account of the regulations they had adopted with regard to these two problems. I am awaiting additional information which I shall disclose as soon as I receive it.

4.2 Resurfacing of the streets

Before resurfacing work was started, the streets of Jerusalem were paved with many different materials: remains of paving from different periods and especially bituminous products. The street surface, which was generally in poor condition, has been preserved in parts of the city where reconstruction work has not yet begun. Elsewhere it has been destroyed by the major public works. The new surface consists of paving slabs in natural Jerusalem stone, laid in a fine simple design. Only the paving of the "Via Dolorosa" is somewhat more complex: the sites of the "stations" of the Way of the Cross are marked on the ground by semicircles made of stone of the same kind and unit shape as the rest of the pavement.

Here and there, fragments of the old paving found at a lower level have been incorporated in the new surface, especially opposite the Convent of Our Lady of Zion and on the Christian Quarter Road in the vicinity of the Holy Sepulchre. Naturally, for Christians these stones, which may have been trodden by the procession to Golgotha in the year 33 of our era, are extremely moving relics.

Technically speaking, the work seems to have been well executed; aesthetically, it gives an impression of judicious restraint.

A more noteworthy development, in the form of a small, formally structured square equipped with benches, has just been completed at the entrance to the Via Dolorosa on the site of part of the "Birket Israel", a large disused water reservoir located along the northern wall of the Haram al-Sharif The reservoir was filled in under the British mandate for public health reasons. Its site is Waqf property and it is used today as a parking lot and collection site for refuse before it is dumped outside the city. East Jerusalem Development Ltd. initially intended to empty the reservoir and build a multi-storey car park to meet the pressing need for parking space near one of the major entries to the old city. This plan was rejected by the Waqf authorities because they feared that fresh clearance work at the base of the Haram-es-Sharif compound would further endanger the Holy Place as a whole. Acknowledging the importance of the car park, which is mainly intended to serve part of the Arab Quarter, they would be willing to agree, according to the Waqf architects, to the construction of a large-scale car park in the vicinity of St Stephen's Gate (also known as the "Lions' Gate" or "Bab Sitti Maryam") on property which they own to the east of the Muslim cemetery in that area.

The resurfacing of the streets has been accompanied by the installation of new simply designed lamps attached to the walls of the houses.

4.3 Reconstruction of the ramparts

Since 1969 reconstruction work has been in progress in the outskirts of the ramparts built by Suleyman the Magnificent between 1537 and 1541. I have described this work in its successive stages in my numerous previous reports. The project has now been completed. It consisted of:

uncovering of the base of the rampart where it had been concealed by heaps of earth or rubble;

uncovering of the remains of previous Hasmonean, Roman or Crusader walls where they were sufficiently well preserved, especially in places along the western and southern fronts;

uncovering of remains of the Herodian and Byzantine city where the wall built in the sixteenth century cuts across parts of the ancient urban areas, the city having been much larger than today before its destruction by Titus in the year 70 of our era;

landscaping (planted areas and walks) of the zone between the rampart and the various roads skirting the historical city;

conversion of the expanse in front of the Damascus Gate, the main entrance to the old city, into a public square.

A considerable proportion of these excavations and improvements were carried out on expropriated land. The expropriations led to numerous complaints which have been brought to the attention of the Director-General regularly by the Jordanian Government.

The final project carried out in the last two years has been the construction of a protective iron railing all along the walk at the top of the inner face of the rampart. The walk has thus been made accessible to tourists between St Stephen's Gate in the east and the Dung Gate in the south. Only the portion of the rampart which merges into the southern and eastern wall of the Haram al- is not included in this long promenade from which one can see the changing landscape of the old city, since the level of the rampart walk is generally higher than that of the houses.

4.4 Removal of television aerials

All the streets provided with a new drainage system have also been equipped with underground conduits for cable television. The latter system has been introduced in the Christian, Armenian and Jewish quarters and has dispensed with the need for individual aerials.

Although underground facilities already exist in a large portion of the Muslim Quarter, cable television has not yet been installed. According to the Mayor of the city, part of the population is opposed to it.

The programmes transmitted in the old city are the same as those in the other quarters of the municipal area of Jerusalem equipped with cable television facilities. In addition to two Israeli channels, there are, according to the same source, two Jordanian channels and two Egyptian channels.

4.5 Construction of hanging gardens over vaulted public buildings

A recent landscape development project for the old city devised by the Municipal Council is the construction of hanging gardens over the vaulted central area of the souks situated at the intersection of the major north-south and east-west thoroughfares.

Similar projects have been carried out on some of the roofs of reconstructed buildings in the portion of the old Cardo located in the Jewish Quarter.

According to Mr Kollek, the aim is to enhance the general appearance of the city, since the terraced roofs, seen from above, are usually in a state of neglect and are used in some cases as a rubbish dump. As these plans concern only buildings belonging to the Municipal Council, most of the gardens would be planted over the vaults of covered streets.

According to the Waqf architects, the original project was more extensive and included the roofs of certain private buildings belonging to their organization. The latter refused to co-operate in the execution of the scheme which would have compromised the safety of the occupants of the houses concerned, interfered with the principle of residential privacy and, from the town-planning standpoint, changed the traditional appearance of Jerusalem.

5. The Jewish Quarter

The "Jewish Quarter" is an area of about 7.5 hectares in the western sector of the old city, to the north of the former Maghrib Quarter which was destroyed in 1967 to clear the area around the Wailing Wall. It was very heavily damaged in the 1948 war. When the old city was conquered in 1967 the Israeli Government decided to expel the Arab population which had settled there and to expropriate the whole of the Quarter and restore it. It is reserved primarily for the establishment of synagogues and Jewish religious and educational institutions. The inhabitants are almost exclusively Jewish. According to history books on Jerusalem dating from before 1948, the Jewish population of the city has lived in the district as a matter of preference since the sixteenth century. At the beginning of this century, it contained a relatively large number of synagogues and yeshivas. The city's two major Ashkenazic and Sephardic synagogues, the "Nissam Bak" and the "Hurva", have long been established there. Both were reconstructed in the mid-nineteenth century and were destroyed in 1948.

In all my previous reports I have discussed the works carried out in this part of the city during the past twelve years. It has consisted mainly of:

the restoration, reconstruction or renovation of ruins of buildings noted for their architectural, historic or religious value;

the restoration of old houses which remained intact during the war and the subsequent demolitions;

the construction of a large number of new houses;

the restoration and development of public areas;

the restoration, renovation and partial reconstruction of the part of the old "Cardo" traditionally separating the Jewish Quarter from the Armenian Quarter;

major excavations conducted by Professor Avigad.

All these projects have been completed or are close to completion.

5.1 Overall urban development plan

The general structure of the Jewish Quarter remains broadly unchanged compared with the past. The layout and dimensions of the principal streets have been respected. Some squares have been enlarged, however, and new ones

created. There is still a large space in the centre of the Quarter which has been cleared in an area where the devastation was most concentrated and the poor state of conservation of the remaining houses led to their demolition rather than restoration. Apparently, the question of whether this area should be partially reconstructed or left in its present condition is still being debated.

As far as the general layout, the nature and proportions of open spaces and the form and scale of volumes are concerned, the reconstruction of the Jewish Quarter fits in well with the urban fabric of the old town. The treatment of open spaces, street paving, public lighting, urban facilities, etc., is similar to that adopted in the other quarters of the city. Here and there archaeological remains uncovered during the reconstruction and restoration work or during excavations have been displayed. The density of construction seems greater than before but it is impossible to establish this with any certainty in the absence of detailed records.

5.2 Restoration and reconstruction of houses

It is relatively difficult to differentiate between restored houses and reconstructed houses, since many "restorations" might in fact be confused with reconstructions. As far back as 1971 I drew attention to certain scientific defects in the work in progress. No attempt was made to redress the situation subsequently. The Quarter now gives the impression of a cross between the old and the new rather than of something genuinely old. However, the uniformity of the materials used--Jerusalem stone--and of the proportions, volumes and architectural designs gives unquestionable coherence to the overall effect. It is of course regrettable that houses which could have been preserved and restored have been destroyed and replaced by new buildings and, for instance, that some houses were sacrificed to facilitate the excavations. It must be conceded, however, that the present general appearance of the Quarter is in conformity with the traditional values of the old city.

Very regrettable exceptions to the traditional scale respected judiciously elsewhere in the reconstruction of the Jewish Quarter are the enormous buildings on its eastern front, opposite the Haram and the Al-Aqsa Mosque, from which they are separated by the Tyropoeon valley, some of which is now taken up by the esplanade created in 1967 in front of the Wailing Wall. The place where the present buildings stand was occupied before 1948 by several yeshivas, the most important of which was Porat Yusuf, already on a much larger scale than the traditional buildings. The buildings now in course of construction are completely out of scale--they have a front elevation of ten storeys! Their architectural style is aggressive, bearing no relationship to the historical characteristics of Hierosolomitan architecture. To my mind, their construction was a mistake which will detract for a long time to come from the overall landscape of the city and from that of the zone created by the levelling of the space in front of the Wailing Wall for the esplanade, which is also out of scale.

5.3 The monuments

The major synagogues of Nissam Bak and Hurva have not been reconstructed. Their ruins have been consolidated and are to be preserved as they stand. Other smaller synagogues, on the other hand, have been restored (Istambul, Benzakkai, etc.).

During the clearance work, the remains of a Christian church built by the Crusaders were uncovered. This was the church of Our Lady of the Germans. Its ruins have been consolidated and are laid out in a well-kept garden.

5.4 An important monument on the northern boundaries of the Quarter is the old Cardo of the Roman city of the second century. In later centuries, and certainly before the time of the Crusaders, it was reconstructed and converted into a vaulted souk, the remains of which survived in the tangle of partially war-ruined buildings preserved in that part of the city.

As early as 1971, I reported the Municipal Council's intention to reconstruct the souks. A competition was organized in that connection. The original plan to rebuild the whole site was radically altered in order to preserve interesting remains of previous buildings and incorporate them in the new construction project. As a result, some portions of the medieval souks have been preserved, restored and displayed.

Excavations have uncovered sizeable remnants of the Roman and Byzantine Cardo. A number of bays have been reassembled with the original columns under a new concrete shell covering. The whole area has resumed its original commercial functions. Dwellings forming part of the Jewish Quarter have been built above it. Most of them have been enhanced with hanging gardens and terraces shaded by climbing plants.

5.5 Since 1978 there have been no excavations in the Jewish Quarter. No new site has been opened and Professor Avigad, who is in charge of archaeological research in the Quarter, has no new projects in mind.

Since my last visit, conservation and restoration work has been carried out in respect of a number of major archaeological discoveries. For instance, the foundations of the second city wall, dating from the time of the kings have been uncovered along a stretch of some twenty metres in an open-air trench following the line of a street. Other remains have been preserved and displayed in the substructures of reconstructed buildings. Mention may be made, inter alia, of the remains of the "Nea", a famous church built in the sixth century by the Emperor Justinian and the "burnt-out house", the moving relic of a Roman house destroyed when the city was burnt down by the Emperor Titus in the year 70 of our era.

6. Excavations

6.1 The "Mazar" excavations near the Haram al-Sharif

There have been no noteworthy new excavations on this site since my last visit in August 1981. Excavations have actually ceased since 1977.

However, the appearance of the site has undergone major and regrettable changes in the last two years. Quite a large-scale project is under way at the moment. It involves preservation and consolidation work which was obviously necessary in principle, but the approach adopted is, to say the least, highly debatable. The director of the project is Professor Meir Ben-Dov of the Hebrew University. His objective, over and above the safeguarding of the site, is to make it clearly "legible" for visitors. But as the site consists of numerous archaeological strata spanning a period of over 1,500 years, its history is extremely complicated. The process of "clarification" of the archaeological material unfortunately consists in large-scale and in some cases undoubtedly risky archaeological reconstruction. Walls have been rebuilt to a height of several metres and vaults and ceilings have been reconstructed. The newly constructed portions have a harsh appearance which makes it easy to distinguish the old from the new but none the less severely detracts from the harmony of the site. The authentic remains are dwarfed by the accumulation of recent additions. The authenticity of this archaeological site which, within a few hundred square metres, tells the whole history of Jerusalem is thus seriously impaired. As early as 1975 I drew attention to

the threat to the scientific credibility of the excavations posed by the complete reconstruction of, for instance, the stairway leading to one of the main entrances to the precincts of the temple built by Herod and the raising of columns in the absence of evidence of their original position. What is being done at present does not even brook comparison with the earlier projects, which had already raised problems in terms of scientific choice and methods of execution.

The work being carried out by Professor Meir Ben-Dov is the subject of a great deal of criticism locally and is a matter of concern to most of his Israeli colleagues. The underlying idea is a valid one, as is the concern to highlight the remains of all periods, from the kings to the Umayyads. I consider, however, that the architectural and aesthetic methods adopted and the choices made in carrying out the project are unacceptable.

6.2 Excavations in the "City of David"

These excavations are continuing and have been extended since 1981. It may be recalled that the original purpose of the work was to clear away the archaeological fill which had accumulated on the hillside following the excavations carried out in the area--which is the cradle of the city--for over sixty years, the last having been directed by the British archaeologist Kathleen Kennyon in 1967 and 1968.

What started as an operation necessitated by obvious reasons of safety--children had been killed in a landslip--accompanied, in view of the exceptional archaeological importance of the site, by borings and by maintenance, consolidation and presentation of the remains discovered previously, has now turned into a classical excavation. Although scientifically and methodically conducted, it is liable to create new serious problems of safety. A fresh deep cut has been made in the hillside just below a house located on the hilltop. Professor Igal Shiloh, who is directing the excavations, assured me that the house is built on rock and is not at risk. In the absence of proof, I am unable to share his optimism and I have therefore drawn the attention of the Mayor of the city to a situation which could become dangerous. I advised him to have the stability of the entire hillside investigated forthwith by an engineer specializing in soil mechanics. Even if the excavations are halted shortly, which I consider to be unlikely, the risk of landslides persists.

Some of the excavations in the City of David are situated on land purchased by the Rothschild family before 1914 and granted by it to the Municipal Council of Jerusalem. However, according to the land registration plan I received from Mr Shiloh, the main excavation lies outside that area of land.

6.3 Excavations in the Citadel

Excavations have been carried out in the Citadel since the British mandate period, the most recent being in 1968-1969. The site has lately been reopened as part of the complete reshaping of the building, which houses the Jerusalem municipal museum. Already documented remains dating from the Hasmonean and Herodian periods have been brought to light again. The aim is to display them by a drastic rearrangement of the inner courtyard of the medieval Citadel. The ponderousness of these remains of ancient buildings undeniably detracts from the architecture of the medieval monument. The desire to "show everything" has thus proved to be detrimental to a proper appreciation both of the archaeological evidence brought to light and of the later building containing it.

6.4 Excavations in the Damascus Gate

The Damascus Gate, set in the northern part of the old wall, is the main entrance to the old city. It dates from the sixteenth century and stands on the monumental remains of a second-century Roman gate. The front of the Roman gateway has long been cleared. Work is under way to uncover the back of the gate and to empty its inner rooms which, over the centuries, have filled with earth and rubbish. In one of the rooms an oil press from the Byzantine period has been discovered. All the Roman infrastructure of the Damascus Gate will be open to the public.

7. The tunnel along the western wall of the Haram al-Sharif

This tunnel was dug during the period 1970-1975 on the initiative of the Rabbinate, to uncover one edge of the temple wall under the buildings of the Muslim Quarter above. This operation led to strong reactions in the Arab world, not only because digging a tunnel beneath someone else's property is a violation of property rights but also because of the damage caused by ground movements to the large number of historic monuments in that area and to the very densely packed houses. There was also a fear that through one or other of the openings discovered in the wall, people might get right under the Haram itself.

A few years ago, the conflict was moderated by a complete halt to the digging and by the consolidation of the tunnel and of the buildings of Al-Madrasa Al-Jawhariyya and Ribat Kurd, two monuments dating from the Mameluke period which had cracked as the result of subsidence beneath their foundations. The conflict is now in danger of becoming more intense as the tunnel was recently extended over a distance of at least a hundred metres. It now extends almost to the north-west corner of the Haram where, in Herodian times, the famous Antonia fortress stood. The new section of the tunnel has been dug largely through earth mixed with rubble and passes through a few early cisterns which it is difficult to date. It comes to a dead end against a bend in the rock on which stand the walls of the fortress, the foundations of which have been cleared. As with the rest of the Herodian wall of the Haram, these foundations are made of huge, carefully cut stones, some weighing more than 200 tonnes. It might be thought that the tunnel cannot be extended any further without cutting into the rock. The total length of the tunnel, including the rooms beneath Al-Madrasa At-Tankiziyya, is about 340 metres. Its average depth beneath the ground is 8-9 metres.

The part that has recently been dug is strengthened with wooden props. These will very soon be replaced by a steel and concrete lining, similar to the lining of the first section of the tunnel. This tunnel has not been dug for any archaeological research programme nor according to the scientific methods used in excavations. Its only justification is a religious one.

It is very likely that the digging of the tunnel is the cause of the rather large number of cracks that suddenly appeared during the winter in Al-Madrasa Al-Manjakiyya, a historic monument and the headquarters of the Islamic Council of Jerusalem and the Waqf Administration. The building stands above the newly dug part of the tunnel. The very heavy rainfall at the end of the winter probably led to a slight settlement of the earth, brought about by the cavity of the tunnel. The case in question is in every respect similar to that of the "Ribat Kurd" building, some of whose bearing walls also stand above the tunnel, which cracked a few years ago after the digging and before the tunnel was strengthened by a metal frame. The very recent nature of the cracks is proved by the fact that the building was restored last year and repainted on that occasion. The cracks show through the new coat of paint. They are still spreading and mortar dust is continually falling out of them.

8. Galleries under the Haram al-Sharif

The possibility of access to al-Haram al-Sharif from beneath the esplanade or beneath buildings through openings in the surrounding wall, or through old and little-known galleries or passages underneath, has over the past fifteen years constantly given rise to apprehension among the Muslim authorities responsible for the Holy Place.

During this mission I personally checked the present state of the two known means of access. I can testify to the fact that they have both been filled in by solid masonry. The first is Warren Gate, an old Herodian entrance gate to the esplanade of the temple, left intact in the lower part of the west wall. It can be reached today by the tunnel dug out along that wall in recent years. This gate was walled up at some time in the past and the gallery extending from it under the esplanade was made into a cistern. Three years ago the excavators of the tunnel pierced a hole in the masonry which was once again blocked by a concrete wall by the authorities responsible for the Haram al-Sharif on their side. On the tunnel side, the hole was blocked by a strongly though roughly built wall of concrete blocks.

The other means of access, situated to the south-east, consists of a group of three very old intercommunicating galleries hollowed out of the rock under the Herodian wall. These galleries, too, have been sealed off with masonry and concrete. None of them seems to have been reopened in recent times. There is not to my knowledge any other effective means of entering the Haram al-Sharif, except through the old gates of the famous "Stables of Solomon", which have been walled up for centuries and are quite visible, being above ground.

There is no doubt that the mystery surrounding these little known means of access is a constant source of suspicion and friction between the authorities responsible for the Haram al-Sharif and those responsible for the "Mazar" excavations and the tunnel. These suspicions might be allayed if the Waqf architects were periodically invited to check the state of these potential means of access.

9. Muslim fears for al-Haram al-Sharif

Several recent events have led the Islamic authorities responsible for the Haram al-Sharif to feel increasingly anxious concerning the safeguarding of their rights and of the exceptional heritage represented by the Haram al-Sharif as a Muslim Holy Place and monument.

It will be remembered that the Haram al-Sharif has a religious history of unique significance for two thousand million Muslims, Christians and Jews. Mount Moriah, on which it stands, is the place where King Solomon built the first temple to honour Jehovah three thousand years ago. Herod the Great rebuilt this temple shortly before our era and gave the site its present form, consisting of a vast terrace (nearly 30 acres) surrounded by enormous walls, resembling a fortress with gates, some of which were reached by monumental bridges crossing the Tyropoeon Valley. After the destruction of the temple and the city of Jerusalem in 70 A.D., the site remained in ruins until the reconstruction of the city by the Emperor Hadrian in 135 under the name of Aelia Capitolina. Temples were then built in honour of Jupiter, Minerva and Juno where Solomon's temple once stood. Under Constantine the Great some of these temples gave way to Christian oratories. After the conquest of Jerusalem by the Caliph Omar in 638 the site, connected with the Prophet Muhammad, became a place of worship for Muslims. This it has since remained, except for a period of almost two centuries after the city was

taken by the Crusaders in 1099. Since the Middle Ages the Jews of Jerusalem, who are forbidden access to the Temple Mount by their own religion, have gathered to pray along a short section of the western outer wall of the Haram al-Sharif, the famous Wailing Wall. Until 1967 this was enclosed in a relatively narrow courtyard. Shortly after the taking of Jerusalem in 1967, the surrounding area was enlarged by the destruction of the Maghrabi Quarter which blocked the view. It was further enlarged in 1970 by the demolition of the Madrasa of the Mameluke period on either side of the street leading to the Bab-el-Maghrabeh, the most southerly gate on the west side of the Haram al-Sharif.

It is important to bear these historical facts in mind to understand the reasons for the acute tension between Jews and Arabs concerning an area which is regarded as holy by both religions. This tension was neither serious nor very apparent before 1967, while Muslims were responsible for the administration of the city. The taking of the city by Israel reversed the situation and today the city is under Jewish control. As a result, certain Jewish sects are reasserting their "historical and religious rights" to the site of the only temple of the Hebrew religion. They instigate acts of aggression against the Haram al-Sharif, although its Muslim ownership and its exclusive use for Islamic worship are guaranteed by Israeli law. A special unit of Israeli police controls access to the Haram al-Sharif day and night in collaboration with the Muslim guard.

Two highly reprehensible acts which have occurred recently give some idea of the tension now prevailing. The first was the attempt at armed occupation of the Haram al-Sharif perpetrated by Allen Goldman on 13 April 1982. Apparently the action of one man acting alone, according to the court inquiry, resulted in the deaths by shooting of several members of the Arab population and damaged the Dome of the Rock. On 7 April last, Goldman was found guilty and responsible for his acts and sentenced to death by an Israeli court. This attack on the Holy Place deeply disturbed the Arab population of Jerusalem and causes intense anxiety to the Muslim religious authorities, who express doubts as to the Israelis's determination actually to apply the full rigour of the law, that is, to imprison the convicted person for life, as executions are not carried out in Israel.

The second event, which occurred a year later, was the attempt made by a group of some forty young Jewish religious extremists to organize prayers on the Haram al-Sharif on a Friday, a day when Muslims pray together in the Al-Aqsa Mosque. This attempt was thwarted before the group had entered the site of the Haram al-Sharif, the Israeli police having been informed of the plan beforehand. The affair was taken very seriously, none the less, by the Israeli judicial authorities. On the initiative of the Israeli authorities, I met the Deputy Attorney-General, Mr Y. Bar Sella, the Deputy State Attorney, Mrs D. Deinish, and the Chief of Police of the District of Jerusalem, Mr Y Caspi, in order to obtain detailed information concerning this event and the attitude of the judicial authorities towards it. Twenty-nine of the forty persons involved in this attempt are to be tried for plotting a breach of the peace, a very serious offence, punishable by heavy prison sentences. Clearly, the Israeli Government wants to make an example of this case, However, it will be for the court to decide.

A third event, which I have already mentioned, was the recent establishment of small Jewish religious communities in houses purchased in the Arab Quarter in the vicinity of the Haram al-Sharif. Until then "Yeshivas" were to be found only in the Jewish Quarter, where they had been established for a long time. This tradition was interrupted between 1947 and 1967 when the city was divided into two political and administrative entities and resumed after the Six-Day War.

The establishment of "yeshivas" in the midst of the Muslim population is a departure from the policy followed until a short time ago. These small communities are very vociferous and can be aggressive. Their transplantation to the middle of the Arab Quarter is seen as an act of aggression and has caused great tension. According to the Mayor of the City, these communities are closely controlled by the Israeli authorities and have been informed by the two Chief Rabbis representing the Sephardic and Ashkenazic rites that they would be expelled from the old city if their attitude continued to cause problems with their Muslim neighbours.

These groups hold rather extremist religious views. The very fact that they deliberately decided to settle in an exclusively Arab quarter, in the nearest available dwelling to the Wailing Wall, gives cause for anxiety to the Muslim authorities who see this not only as a blow to the integrity of the population of the place, but also as the first move in a more comprehensive strategy of occupation, with its ultimate aim the Haram al-Sharif itself.

The existence of such a strategy is categorically denied by the Minister of the Interior and of Religious Affairs and by the Mayor of the City. In their opinion, the law already mentioned which, to keep the peace, forbids Jews to pray on the Haram al-Sharif, the great firmness shown by the police to Jews who try to enter the Haram al-Sharif to pray despite the fact that this is forbidden, the very severe sentences passed by the courts on persons found guilty of acts of aggression in regard to the Holy Place, and the Chief Rabbis' threats of expulsion to the inhabitants of certain yeshivas, demonstrate the reality of a policy inspired by absolute respect for the Muslim sanctuaries and the Haram al-Sharif in particular. That religious groups called "extremist" in the Israeli press itself periodically express their determination to reoccupy the Temple Mount, to pray there, or even to reconstruct the Temple destroyed by Titus is, in the opinion of the Israeli authorities, a matter of private intentions, punishable by law only if there is an attempt to put them into effect, or if steps are taken that would make such an attempt possible.

According to the Israeli authorities, real acts of aggression or attempted acts of aggression against the Haram al-Sharif ought not to be confused with verbal demonstrations aimed at asserting the "moral right" of the Jews to the site of the Temple and the right to pray there. Freedom of expression being one of the foundations of Israeli democracy, the authorities cannot oppose these verbal demonstrations, but they can take the police measures required to prevent them from constituting a material threat to the Haram al-Sharif. According to the Chief of the Jerusalem Police Force, these preventive measures are taken in collaboration with the Muslim guard of the sanctuary. According to the same source, certain religious groups notify the police in advance of demonstrations whose theoretical purpose is Jewish prayer on the Haram al-Sharif, and this enables the police to station the forces needed to prevent that purpose being fulfilled. The demonstration is limited to verbal affirmation of the intention to pray on the Holy Place and public recognition of the Israeli authorities' placing a material obstacle in the way.

In fact, the authorities are between two fires where access of the Jews to the Temple Mount is concerned. A decree, repeating a provision dating back to the British Mandate, which itself was based on an Ottoman law, forbids Jews access for prayer, but Law No. 26, "Protection of Holy Places Law, 5727-1967" guarantees "the freedom of access to the members of the different religions to the places sacred to them" (Art. I and Art. II). This measure can be interpreted--and is interpreted by some--as a right of access to the Haram al-Sharif, which is the most sacred place on earth for the Jewish religion.

It is obvious, on the other hand, that the attempts to occupy the Haram al-Sharif, such as the one made last March, the attack on the Dome of the Rock by Allen Goldman in spring 1982, the fire in the Al-Aqsa Mosque in 1968, which still remains fresh in people's memories, the digging of the tunnel along the west wall, the establishment of yeshivas in the Muslim Quarter, the periodical assertion of the right of the Jews to the site of the Temple of Solomon, the intention to rebuild the Temple expressed by certain religious groups, which presupposes the demolition of the Dome of the Rock, are all events that have the great Muslim sanctuary as their object. They are the cause of very deep concern among the highest Muslim authorities about the future of their Holy Places. The legal and police protection established by the Israeli Government does not in their opinion constitute a sufficient and lasting guarantee. According to them, a shift of the political majority towards a more radical religious integrationism might lead to a disturbing revision of current policy. For all these reasons they consider that the Haram al-Sharif is a monument in danger.

10. Preservation of Muslim monuments

10.1 The Al Aqsa Mosque

The restoration on the monument, begun after the fire in 1968, has entered its final stage. Much of this work in fact consists of reconstruction rather than restoration in the usual sense. There has been some criticism, and not without justification, of the fact that when the work was being planned, no interest was shown in preserving the most ancient parts of the Mosque, some of which were affected by the fire (see inter alia my report of December 1973). Too much of the old fabric of the Mosque has been sacrificed, including the east transept dating from the Crusades, which was solid medieval architecture but which has been replaced by a new construction in a neo-Fatimid style.

The approach to the work has, however, changed fundamentally since responsibility for it was entrusted two or three years ago to Mr I. Awad, former student of the Institute of Advanced Architectural Studies of the University of York and a specialist in the preservation of historical monuments.

A more exacting approach is being adopted to the work in hand, although the unfortunate effects of previous decisions continue to make themselves felt. One could wish, for example, for greater attention to be given to preserving what remains of the Crusader contribution to the monument, which served as a church for nearly a century. Among other things, the Crusaders added colonnettes and sculpted capitals of high quality.

The stucco decoration on the cupola of the mosque is currently being restored. The part that was damaged by the fire has been painstakingly reconstituted. The original painting is now being uncovered. This is being done with great care using the most up-to-date methods, and all the original parts are being preserved. The missing parts have been repainted using the technique of the Rome Restoration Institute, the reconstituted areas being distinguished by fine vertical lines. The general harmony of the whole has been maintained and now that it has been restored, this cupola can be seen as a gem of Arab art. Professor Paola Mora of Rome advised on the restoration work.

The cupola will again be covered on the outside with lead sheeting. This will replace the aluminium at present there, which is unsatisfactory for technical as well as aesthetic reasons.

10.2 The Dome of the Rock

This building was hit by a number of bullets during the attack by Allen Goldman. Their marks can be seen on the marble pillars, on the marble and ceramic facings of the walls and in some of the glasswork. The damage is not very extensive but some of it is irreparable.

The main problems so far as this monument is concerned is to find the means of making the adjoining roofs waterproof. Like the cupola, these were repaired in the 1950s, a new surface of gilded aluminium sheets being put in place of a very old covering of lead. These aluminium sheets warp as a result of the great changes of temperature which occur. The roof as a whole is no longer waterproof and lets in the rain. The deterioration of some painted ceilings as a result of damp is becoming considerable and urgent action is needed if great damage is to be avoided.

Mr I. Awad says that he is looking into the question and is considering the possibility of renewing all the covering, both on the cupola and on its surrounds.

The choice of replacement materials is a difficult one. Lead, the material originally used, has the great advantage of being malleable, but it is very heavy for a light structure. In addition, the gilded dome has become a feature of the Jerusalem skyline and so the use of gilded copper is being envisaged.

10.3 The services of the Waqf have restored a number of beautiful Mameluke façades which close the Haram al-Sharif into the north. These have been carefully cleaned and repointed with the same lime mortar as was originally used.

A façade has been restored near Bab-as-Silsila Gate, that of the Al-Jaliqiyya Tomb. The result here is less successful since the new stones are roughly hewn and the repointing has been done with cement.

The quality of the restoration work is therefore somewhat variable, but considerable progress has been made during the past few years. The assistance on the spot of two architects specializing in preservation work has contributed to this in large measure.

It is most fortunate that they are there for an enormous amount of work still remains to be done. Indeed, one cannot hide the fact that, apart from the monuments on the Haram al-Sharif itself, some of which also need to be restored, the condition of the monuments in Jerusalem forming the Arab heritage is verging on the disastrous. Practically all these monuments belong to religious or family Waqfs and, according to those in charge, these organizations do not have the money for the maintenance of the buildings, let alone for their restoration.

One of them has summed up the position as follows:

"Personally I attribute the decay of mausoleums to the following reasons: first: physical conditions such as rain, earthquakes, temperature, humidity and mossy plants; second: interference of man in those buildings destroying some parts of it and adding new parts, while ignoring its historical and archaeological importance".[1]

1. Natsheh, Y.S., The Kulmanyia Mausoleum, Islamic Archaeological Department, July 1979.

The condition of a large number of masterpieces of Mameluke architecture in Jerusalem, such as the Al-Madrasa Tushtumriyya in Chain Street, the Al-Madrasa Al-Kīlāniyya and the Al-Kīlāniyya Tomb, the magnificent As-Sultan Hostel and dozens of others, unfortunately bears out this clear assessment.

What is needed is a systematic preservation plan, based on a full inventory of the Islamic heritage of the greatest importance and on an evaluation of its physical and architectural condition, which takes account of the urgent need for preservation work. If there is no such plan, the valuable heritage of the monuments of Jerusalem is in danger of substantial loss in the next few years. However, nothing could be worse than poor restoration work which, as has occurred in the past, would totally destroy the archaeological and architectural value as well as the fragile and moving beauty of the monuments. Nevertheless, a great deal of the restoration work raises extremely difficult technical conservation and restoration problems. The complexity of Mameluke architecture and the very intricate method of stonecutting are such as to render the monuments vulnerable to often serious deterioration through the action of various salts and humidity. The specialist most needed in Jerusalem for all monuments is one who knows about the weathering and consolidation of stonework. There is no such specialist there, on either side, and the consequences of this are painfully clear.

10.4 The Al-Aqsa Museum is being reorganized. Part of the collection is already open to the public and some of the fine Koranic manuscripts, which have been saved thanks to Unesco's assistance, are on display. The Curator, Mr Jubeh, is nevertheless concerned about the preservation of part of the collection. Through the German School of Archaeology in Jerusalem, he has called on Dr Günther Baurauth, the restorer of the University of Göttingen Library, for assistance. He does, however, hope to arrange for an Arab specialist to be trained, with Unesco's help. This is certainly a matter of urgency, since a specialist is essential, inter alia, for the preservation of valuable archives kept in the Al-Aqsa Library but now being destroyed by humidity and by countless insects that are eating them. In spite of all his efforts, the Director of the library does not have the means of saving them on his own. Their destruction would be an irreparable loss to the history of the city.

10.5 A complaint made by Israeli archaeologists was put to me concerning the disappearance of traces of buildings dating back to one of the two Jewish temples successively built on the terrace of the Haram al-Sharif. These were grooves in the rock, probably the traces of very old walls, and remains of walls, which were recently either destroyed or covered with earth or paving-stones when the gardens of the sanctuary were newly landscaped. Photographs show that these statements have some foundation. It is obvious that all the traces of the past of this historic site are of great importance, whatever period they belong to. They should be safeguarded or, if other essential works prevent this, they should be surveyed and photographed so that the evidence they provide is not lost. In fact, any work undertaken on the Haram al-Sharif calls for parallel archaeological work. This might be carried out by the Department of Archaeology which was recently set up alongside the services of the Waqf.

11. The Holy Sepulchre

Restoration work on the Holy Sepulchre has been under way for some twenty years (since 1961). At the end of the Second World War, justified concern about the appalling condition of the monument resulted in collaboration among the three Christian denominations owning the building. The work is coming to an end with the restoration of the Rotunda and the nineteenth-century cupola surmounting it. Apart from the remains of the reconstruction work done on the church by

Constantine Monomaque in 1048, which have not yet been restored, this was the part that had been most seriously affected by the fires that have occurred in the church since it was first built. The restoration work was undoubtedly a very difficult undertaking. Unfortunately, one cannot say that it has been a success. Inside the church, a very large amount of stonework has been renewed or recut. The archaeological reconstitutions have been inspired more by nineteenth-century ideas than by the principles of the Venice Charter. No importance has been attached to authentic relics nor has any modern technique been used to preserve those which could have provided proof of the archaeological accuracy of the parts that have been restored. No regard has been shown for the old movable property accumulated over the course of time, such as the seventeenth-century Iconostasis. The destruction of the historical dimension of the monument is likely to continue if the plan is carried out to bring to light, behind the Chapel of the Cross, the fragment of the rock of Golgotha which escaped when the church was destroyed by Caliph Hakim in 1009. This would involve the destruction of part of the church built by the Crusaders and of the seventeenth-century paintings at present decorating the arches of the chapel. The immeasurable historical value of a monument of such importance appears never to have been taken into account in the work carried out. It would be highly regrettable if the remaining work were carried out in the same way and using the same methods. This church should certainly not remain stuck in its past. A response to new needs should, however, be found in solutions which do not definitively impoverish historical evidence dating back to the very origins of Christianity.

(signed) Professor R.M. Lemaire
6 May 1983'

III. COMMUNICATIONS RECEIVED BY THE DIRECTOR-GENERAL CONCERNING JERUSALEM

4. Since the 114th session of the Executive Board, the Director-General has received three communications informing him that the cultural heritage of the old city of Jerusalem is threatened and requesting him to take action to ensure the protection of this heritage. The Director-General brings these communications to the notice of the Executive Board in order to assist it in reviewing developments in the situation regarding Jerusalem, in pursuance of 21 C/Resolution 4/14 adopted by the General Conference.

5. On 16 March 1983, the Director-General received a cable from the Director-General of the Arab Educational, Cultural and Scientific Organization (ALECSO), the text of which was transmitted by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 20 April 1983, together with a request for his government's comments. The text of the cable is reproduced below:

'16 March 1983
For the attention of Mr Amadou-Mahtar M'Bow
Director-General of Unesco

I have the honour to draw your attention to the serious events that are taking place at this time in el Qods, the old city of Jerusalem. Owing to the repeated criminal attempts of groups of Israeli extremists, the Great Mosque and the hallowed Sanctuary of the Dome of the Rock are threatened. In reference to the provisions of the World Heritage Convention and, in particular, on the basis of the inclusion of the old city of Jerusalem on the

List of World Heritage in Danger, the Arab world, the Islamic community and all countries committed to the preservation of cultural property of exceptional universal value expect Unesco, through its Director-General, to bring pressure to bear on the occupation authorities to ensure that reason and international legality prevail and that the sacred monuments of the Holy City are preserved as a matter of the utmost urgency. I earnestly beg you to intercede. With the expression of my keen gratitude and the assurances of my highest consideration.

Dr Mohiedine Saber
Director-General, ALECSO'

6. On 24 March 1983, the Director-General received a letter from the Secretary-General of the Organization of the Islamic Conference. The letter was communicated by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 20 April 1983 with a request for his government's comments. Its text is reproduced below:

'Jeddah, 20 March 1983
H.E. Mr Amadou-Mahtar M'Bow
Director-General of Unesco
Paris

Sir,

I have the honour to draw your attention to the situation in the occupied Palestinian territories, and in Jerusalem in particular, where the tension created by new violations of human rights in Palestine might well take a dramatic turn. Once again recent events prove that the Israeli authorities stubbornly persist in implementing by force their policy of Judaization and the establishment of settlements in defiance of international legality and law.

Though the Holy City of Jerusalem is included on the World Heritage List, it is the favourite target of the Zionist authorities. Thus, on Friday, 4 March 1983, a day when throngs of worshippers flock to the Al-Aqsa Mosque explosives were placed in the entrance to prevent the Muslims from fulfilling their religious obligations. At the same time, the Israeli authorities took the liberty of extending the visiting hours of the Al-Aqsa Mosque in an effort to transform this sanctuary into a tourist site. Encouraged by that decision, some extremists attempted to occupy the esplanade of the Al-Aqsa and the Dome of the Rock Mosques. Worse still, a project for the establishment of a settlement around these two holy places is being seriously envisaged.

The Organization of the Islamic Conference, which has vigorously denounced these criminal plots, considers that their sole design is to undermine all efforts directed towards a peaceful solution that will ensure exercise by the Palestinian people of their inalienable national rights through the implementation of the pertinent resolutions adopted by the Security Council and the General Assembly of the United Nations as well as all the other international organizations and, first and foremost, Unesco.

For this reason I urge you to exert your influence to bring about an end to such actions which seriously jeopardize peace and security in the region and in the world.

Accept, Sir, the renewed assurances of my highest consideration.

(signed) Habib Chatty
Secretary-General
Organization of the Islamic Conference'

7. On 19 April 1983, the Director-General received a communication from the Chairman of the Jordan National Commission to Unesco. The communication was forwarded by the Secretariat to the Permanent Delegate of Israel to Unesco in a letter dated 11 May 1983, with a request for his government's comments. The text of the communication is reproduced below:

'30 March 1983

Mr Amadou-Mahtar M'Bow
Director-General of Unesco

Dear Mr M'Bow,

Pursuant to a recommendation adopted by the Jordan National Commission for Education, Culture and Science at its meeting of 16 March 1983, in view of the addition of Jerusalem to the List of World Heritage in Danger, and with reference to the recent attack against the blessed Al-Aqsa Mosque in the city of Jerusalem on 11 March 1983, I am sending you the enclosed memorandum which summarizes the repeated, deliberate acts of aggression against the religious and historic monuments of the city of Jerusalem, in the hope that you will be kind enough to take appropriate action to:

(a) distribute it to the Member States of Unesco in order to alert the international community to the consequences of the continuation of these attempts;

(b) lay the matter before the Executive Board of Unesco with a view to intervention by the latter to protect the historic and religious monuments of the city of Jerusalem and to make representations to all the authorities concerned in order to prevent further acts of this kind.

Accept, Sir, the assurances of my highest consideration.

(signed) Chairman of the National Commission
and Minister of Education

Israeli acts of aggression against the Holy Place known as al-Haram al-Sharif from June 1967 to March 1983

Israeli plotting against the Holy Place known as al-Haram al-Sharif, where the Al-Aqsa Mosque and the Dome of the Rock stand, with a view to demolishing the site and building the temple on its ruins, began late in 1967, less than a week after the occupation of the city.

This plotting has assumed many forms, but in all instances the aim has been to demolish this holy monument of Islam, the first gibla (direction to which Muslims turn when praying) and the third Holy Place, and to erase Islam's historic link with the city of Jerusalem, a link which appears in material form in its most fundamental symbol, the Al-Aqsa Mosque.

The actions undertaken have ranged from the early excavation work around the Al-Aqsa Mosque on the western and southern sides, which was ultimately extended to the underground galleries or passages beneath the mosque, to countless attempts at infiltration. The latter have occurred at an average rate of two or three a month. The pretext is that the would-be infiltrators are seeking to perform ritual prayers in the mosque, whereas the real object is to impose a Jewish fait accompli on the sanctuary, as has occurred in the

case of the Sanctuary of Abraham in Hebron. There, the result of Jews' entering the mosque and performing their prayers in it is that it has now been divided between Muslims and Jews. Furthermore, there have been constant efforts to reduce the Muslims' area and they have been persistently harassed preparatory to their final expulsion and the complete Judaization of the sanctuary.

The following is a list of the most noteworthy acts of aggression to which the Haram al-Sharif in Jerusalem has been subjected since the beginning of the Israeli occupation in June 1968.

I. THE FIRE

A criminal attempt to burn down the blessed Al-Aqsa Mosque was the first serious attempt to destroy the site and obliterate the sanctuary. The attempt occurred on 21 August 1969, when a Zionist of Australian nationality, one Michael Rohan, set fire to the mosque. The result was the complete destruction of the Pulpit of Saladin and the south-eastern part of the roof of the structure.

The occupation authorities merely arrested the criminal and put him through a semblance of a trial, in the course of which they claimed that he was mentally unbalanced. He was acquitted and released.

II. THE EXCAVATIONS

The excavations around and under the Al-Aqsa Mosque on the western and southern sides have been one of the means used in the effort to destroy the mosque and cause its walls to collapse. These excavations appear outwardly to be an attempt to discover remains of the so-called temple, but in reality they are aimed at destroying and obliterating the Islamic buildings adjoining and abutting on the Wall of Al-Buraq (Wailing Wall) and extending along it. The work is also designed to take possession of al-Haram al-Sharif, destroy it, and erect the temple on the site where the Al-Aqsa Mosque and the Dome of the Rock now stand.

The Israeli excavations around the Al-Aqsa Mosque began late in 1967 and are still going on. To date there have been nine stages in the work, the most recent of which involved the underground gallery or passage that begins at a point between the Wall of Al-Buraq and the Dome of the Rock and extends across al-Haram al-Sharif. The council in charge of the administration of waqfs and Islamic affairs discovered by accident on 17 August 1981 that excavation work was being carried out in the subterranean passage, and took action to close the latter on 2 September 1981 after widespread clashes between Muslim workers and technicians and Jewish extremists.

III. THE REPEATED ATTEMPTS TO PERFORM RITUAL PRAYERS IN THE AL-AQSA MOSQUE

Israeli attempts to invade the Al-Aqsa Mosque and its outer precincts on the pretext of performing ritual prayers began at an early stage. Three days before the deliberately set fire at the Al-Aqsa Mosque, i.e. on 18 August 1969, a group of Jewish youths slipped into al-Haram al-Sharif and circumambulated the Dome of the Rock, chanting psalms and prayers and passages from the Torah.

Since then, invasion attempts have occurred without surcease. The most noteworthy of them was the attempt by Rabbi Meir Kahane to blow up the Dome of the Rock in May 1980. On the 11th of that month, the Israeli security

forces discovered a cache of explosives near the Al-Aqsa Mosque which had been placed there by Meir Kahane and his followers. Since that time Rabbi Kahane has repeatedly announced that he intends to go on trying to blow up the Al-Aqsa Mosque; for example, in an interview published in the Israeli newspaper Yedioth Aharonoth on 21 January 1983, he stated that he would not rest until he had succeeded in blowing up the Al-Aqsa Mosque.

IV. THE ARMED INCURSION IN WHICH PEOPLE AT PRAYER WERE FIRED ON

Among the dozens of attempts to penetrate the Al-Aqsa Mosque and blow it up was the assault perpetrated by an Israeli soldier named Elie Gutmann on 11 April 1982. This individual succeeded in reaching the Dome of the Rock and entering it after opening fire on the guards at the mosque, killing two of them. In the course of this incident the Dome of the Rock and its walls were riddled with bullets, causing extensive material damage, while clashes between Muslims and Jews resulted in the deaths of 9 persons and injuries to 136 others.

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

The most recent attempt to infiltrate the Haram al-Sharif occurred on 11 March 1983. Some forty-five settlers from the extremist, racist "Kach" movement took part in it, along with a number of settlers from Kiryat Arba, near Hebron.

These individuals were determined to reach to Al-Aqsa Mosque by a secret underground passageway that had not yet been discovered, and they carried with them substantial quantities of arms and explosives, intending to blow up the Al-Aqsa Mosque and establish a Jewish settlement on its ruins.

However, this attempt ended in failure and the arrest of a number of members of the group. They acknowledged that a number of Jewish men of religion had planned the operation, including Meir Kahane and Moshe Lenagzo-Yisroel, and that these persons had held meetings in Kiryat Arba with the members of the group which had been assigned the task of blowing up the Al-Aqsa Mosque.

A quick reckoning of the numerous attempts made to date to invade the Al-Aqsa Mosque or infiltrate its precincts and the repeated statements by extremist Jewish men of religion openly announcing their determination to continue their endeavours to blow up the Al-Aqsa Mosque and erect the temple on its ruins gives some indication of the true nature of Jewish designs on this mosque and other Islamic and Christian sanctuaries in Jerusalem, and indeed throughout the occupied territories. The attempt to set off a bomb in the Al-Qazzazin Mosque in Hebron a few days ago is merely one more indication of the gravity of the situation that has developed in the occupied territories, and the serious danger threatening the people and the Arab Islamic cultural milieu of those territories.'

8. Moreover, in a cable dated 16 March 1983, the Director-General of the Islamic Educational, Scientific and Cultural Organization (ISESCO) communicated to the Director-General of Unesco the text of a message he had sent to the Secretary-General of the United Nations. The text of that cable, which was forwarded to the Permanent Delegate of Israel to Unesco in a letter dated 11 March 1983, is reproduced in Annex I.

IV. INCLUSION OF 'THE OLD CITY OF JERUSALEM AND ITS WALLS' ON THE LIST OF WORLD HERITAGE IN DANGER

9. Pursuant to the proposal submitted by the Hashemite Kingdom of Jordan, the World Heritage Committee has included 'the Old City of Jerusalem and its walls' on the List of World Heritage in Danger. This decision was taken at the sixth meeting of the Committee which took place from 13 to 17 December 1982.

V. APPLICATION OF THE CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT (THE HAGUE, 14 MAY 1954)

10. At its 114th session, the Executive Board was informed, in document 114 EX/17, paragraphs 13-17, that Professor H.R. Sennhauser (of Swiss nationality) had agreed to assume the functions of Commissioner-General for Cultural Property to the Government of Israel and that further steps had to be taken in respect of the nomination of a Commissioner-General for Cultural Property to the Governments of the Hashemite Kingdom of Jordan, Lebanon and the Syrian Arab Republic since Professor C. Brandi (of Italian nationality) was unable to take up those functions.

11. On 27 April 1983, the Permanent Delegate of Switzerland (as representative of a neutral state acting as protecting Power with a view to the appointment of the two Commissioners-General) informed the Secretariat that nothing had yet come of these efforts.

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12. The Director-General brings the foregoing, which constitutes all the information at his disposal as at 9 May 1983, to the notice of the Executive Board in order to assist it in reviewing developments regarding the situation of the cultural heritage in Jerusalem.

ANNEX I

FROM: PROFESSOR ABDELHADI BOUTAIEB
DIRECTOR-GENERAL OF THE ISLAMIC EDUCATIONAL SCIENTIFIC AND CULTURAL ORGANIZATION ISESCO

TO: MR M'BOW
DIRECTOR-GENERAL OF UNESCO

FOLLOWING THE LATEST ACT OF AGGRESSION PERPETRATED BY THE ISRAELIS AGAINST THE DOME AND AL-AQSA MOSQUES I HAVE SENT THE FOLLOWING MESSAGE TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

YOUR EXCELLENCY

FOLLOWING THE ODIOUS ACT OF ZIONIST AGGRESSION AGAINST THE DOME AND AL-AQSA MOSQUES WHICH HAS AGAIN SHAKEN THE CONSCIENCE OF THE WORLD ALLOW ME IN THE NAME OF THE ISLAMIC EDUCATIONAL SCIENTIFIC AND CULTURAL ORGANIZATION TO APPEAL THROUGH YOUR HIGH AUTHORITY TO THE UNITED NATIONS TO USE ALL THE MEANS IN ITS POWER TO BRING ABOUT AN END TO THESE REPEATED ACTS OF AGGRESSION AGAINST ISLAM'S HOLY PLACES AND CULTURAL HERITAGE STOP IN THE NAME OF THE MEMBER COUNTRIES OF ISESCO CONCERNED ABOUT THE DEFENCE AND SAFEGUARDING OF THIS HERITAGE THROUGHOUT THE WORLD AND PARTICULARLY IN THE TERRITORIES WHICH ARE OCCUPIED BY ISRAEL AND THREATENED BY THE LOSS OF THEIR IDENTITY AND DISTINCTIVE CHARACTER I ADDRESS MYSELF TO YOUR EXCELLENCY AND APPEAL TO YOUR AUTHORITY SO THAT ZIONIST CRIMES MAY BE HALTED AND RELENTLESSLY CONDEMNED STOP IN ACCORDANCE WITH INTERNATIONAL LAW IT IS THE RESPONSIBILITY OF THE OCCUPATION FORCES TO ENSURE THE SECURITY OF THE TERRITORIES THEY OCCUPY AGAINST ALL CRIMES AND TO REFRAIN FROM ANY ACTION LIKELY TO DISTORT THE IDENTITY OF THE PEOPLES THEY DOMINATE STOP I SHALL BE GRATEFUL IF YOUR EXCELLENCY WOULD CONSIDER DISSEMINATING THIS MESSAGE AMONG THE DELEGATIONS OF THE MEMBER STATES OF YOUR ORGANIZATION AND INFORM ISESCO OF ANY STEPS YOU MAY TAKE IN THAT REGARD STOP PLEASE ACCEPT THE ASSURANCES OF MY HIGHEST CONSIDERATION STOP I AM CERTAIN THAT THE COMBINED EFFECT OF APPROACHES BY ORGANIZATIONS RESPONSIBLE FOR CULTURE THROUGHOUT THE WORLD TO THE INTERNATIONAL FORUMS WITH A VIEW TO HALTING THE AGGRESSORS WILL AROUSE WORLD PUBLIC OPINION AND WILL MAKE A DECISIVE CONTRIBUTION TO THE ACTION OF THE FORCES OF JUSTICE AND LIBERATION IN THEIR STRUGGLE TO RESTORE A FREE AND DEMOCRATIC PALESTINE STOP PLEASE ACCEPT SIR THE EXPRESSION OF MY HIGHEST CONSIDERATION.

ISESCO 32645 M

United Nations Educational,
Scientific and Cultural Organization

Executive Board

ex

Hundred-and-sixteenth Session

116 EX/18 Add.
PARIS, 7 June 1983
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Item 5.4.1 of the agenda

JERUSALEM AND THE IMPLEMENTATION OF 21 C/RESOLUTION 4/14

ADDENDUM

1. In a letter dated 25 May 1983, Professor Raymond Lemaire sent the Director-General additional information which had been forwarded to him, at his request, by the Government of Israel.

2. The information, which relates to certain points dealt with by Professor Lemaire in his report on his mission to Jerusalem from 5 to 12 April 1983, is reproduced below (the passages written by Professor Lemaire have been underlined):

'1. Concerning building permits in the city of Jerusalem (referred to under paragraph 4.1 of my report):

"Licences for construction or reconstruction can be obtained without any difficulty upon application according to the relevant municipal regulations.

The municipality issues more construction licences in one month than the Jordanian authorities used to issue in one year"; and

"All damages caused by public works are repaired by the municipality at its own expense".

2. Concerning the legal action brought against twenty-nine persons who had conspired to force their way into the Haram al-Sharif on Friday, 11 March 1983 (paragraph 9 of my report):

"(1) On 17 March 1983 the Jerusalem District Attorney's office filed criminal charges in the district court of Jerusalem against twenty-nine persons accused of the attempt to trespass on the Temple Mount.

(2) The facts revealed by the charge-sheet are briefly as follows:

(a) on a date close to Thursday, 10 March 1983, the accused decided to trespass on the Temple Mount, which is administered by the Muslem Waqf;

(b) the entering was planned for Friday, 11 March 1983, between 3.00 a.m. and 5.30 a.m. Its purpose was to pray demonstratively in the presence of the media which were to be invited and in the presence of the many Muslim worshippers who customarily worship on Fridays;

(c) the entering of the Temple Mount was to be executed by digging an opening from a place close to the southern wall;

(d) before executing the plan, the accused were arrested by the Israeli police.

(3) In carrying out the above acts, the prosecution charges that the accused conspired:

(a) to arouse ill-will and enmity between the Jewish and Muslim communities;

(b) to trespass on a place of worship with the intention of injuring the feelings of the Muslims and with the foreknowledge that the entering was likely to injure their feelings;

(c) to trespass on the Temple Mount in order to irritate the holders of the property.

(4) The specific offences under the penal law for which the accused are charged, are as follows:

(a) seditious acts;

(b) conspiracy to trespass on a place of worship;

(c) conspiracy to trespass with intent to commit an offence;

(d) unlawful assembly".

3. <u>With regard to the prohibition of Jews from praying on the Haram al-Sharif, which they call the "Temple Mount" (paragraph 9 of my report), the High Court judgements clarify the government's position and make the legal basis more explicit. The judgements of the High Court have force of law and set a precedent</u>:

"Sixty-eight national circles, a registered association and fourteen others.
Versus: the Minister of Police.
The petitioners, members of the Jewish religion, who were prevented by the police from praying on the Temple Mount, petitioned the High Court to order the respondent to permit them to pray there.

The High Court denied the petition and held <u>inter alia</u>:

that the right of religious worship at the holy places, as distinguished from the right of access thereto, was not set in the Protection of Holy Places Law 1967. Accordingly, the court determined, the question of religious worship was still governed by the 1924 Palestine order in council which relegated the matter to the sole authority of the executive branch of the government.

Chaim Shtenger versus:
1. the Government of Israel
2. the Minister of Interior and Police
3. the Council of the Chief Rabbinate of Israel.

The petition concerned Jews' right of access to the Temple Mount and their right to pray therein, based on Article 3 of the Basic Law:

Jerusalem, the Capital of Israel 1980.

The High Court of Justice denied the petition and held, inter alia:

(1) Jews have not only a historic right of free access to the Temple Mount, but a right grounded in legislation.

(2) Section 3 of the Basic Law: Jerusalem, the Capital of Israel 1980 is identical in its wording to Section 1 of the Protection of Holy Places Law 1967. Accordingly, there is no basis to claim that the legislator intended to enable realization of the Jews' right to prayer on the Temple Mount through the provisions of the Basic Law.

Thus, Section 3 of the Basic Law does not change the rule, set in HCJ 222/68, which held that because of provisions of the 1924 Palestine orders in council, the question of the right of prayer in the holy places is not subject to judicial review"'.

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JERUSALEM AND THE IMPLEMENTATION OF 21 C/RESOLUTION 4/14

Addendum 2

SUMMARY

The Director-General has received a letter from the Permanent Delegate of Israel dated 8 June 1983, the text of which is reproduced below.

Permanent Delegation of
Israel to Unesco

Ref/245

Paris, 8 June 1983

Mr Director-General,

I have the honour to refer to document 116 EX/18 dated 31 May 1983, including the report of Professor Raymond Lemaire. Following are my comments on this report.

Paragraph 3

The city of Jerusalem and its urban area

The urban area of Jerusalem was extended in 1967, after months of intensive studies and mature reflection which took into account geographic, topographic, demographic, ecological, cultural and all other considerations concerning the holy city of Jerusalem and its pluralistic character. There is absolutely no intention of expanding the municipal bounderies of Jerusalem, which do not include Maalé-Edomim.

Paragraph 4

Public works schemes in the old city

As Professor Lemaire states, works have been going on for quite a number of years. 1,619 buildings are lining the 4,500 metres of streets where the infrastructures have been renovated, yet only one building was so badly damaged that it had to be completely reconstructed. In all, 44 buildings have been repaired since 1974, most of them in anticipation of renovation works, and many without any relationship to these works. Surveys of houses in the old city are regularly conducted by the engineers of the municipality, including the houses lining the renovated streets. No cracks or any other damage have been discovered in these houses. All repair works have been carried out and financed by the Jerusalem municipality.

Works have been carried all year round, summer and winter, in extremely difficult conditions, in narrow streets, many of which are actually staircases. Had the works been carried out only in summer, they could have lasted at least ten more years. Furthermore, the timetable and the location of works was often dictated by unforeseen developments in the city. Thus for instance works had to be shifted to the Via Dolorosa as early as winter 1979, as heavy rains led to the appearance of cracks which endangered both buildings and their inhabitants.

Paragraph 5

The Jewish Quarter

The Jewish Quarter and especially its 35 houses of worship, had been wantonly and deliberately destroyed during and especially after the 1948 war. Most of them were razed to the ground. Others were converted into hollow shells. The same holds for the Jewish cemetery on the Mount of Olives. The area, of which 75 per cent was Jewish owned, has been expropriated in 1968 so as to allow for a well planned reconstruction of the quarter.

Mr Amadou-Mahtar M'Bow
Director-General
Unesco

The Arab inhabitants of the Jewish Quarter, most of them squatters from Hebron, living in apalling conditions of density and squalor, left their houses after long negotiations, receiving compensations which were far in excess of the value of their dwellings.

In 1962, the Jordanian authorities commissioned an international corporation in New York to draw up a city plan for Jerusalem. This plan recommended inter alia the total razing to the ground of the Jewish Quarter, including the remains of ancient synagogues and schools, and the subsequent conversion of the space into a park. The plan was approved by the Jordanian authorities, whereupon Hussein ibn Nasser, Prime Minister of Jordan, issued on 17 July 1966 an Order to the Minister of Interior to evict the Arab inhabitants of this quarter, to resettle them in a refugee camp and to demolish 'all the tumbledown dwellings of this quarter after their evacuation'. Those defying the Order were evicted by force.

Paragraph 6

Excavations

6.1 The 'Mazar' excavations near the Haram al-Sharif

The guiding principle of the restoration works south of Temple Mount has been as Professor Lemaire rightly states 'to highlight the remains of all periods from the kings to the Umayyads'. It is possible that some aesthetic errors have been committed but aesthetics are a personal subjective matter, and what might be considered unacceptable to some is accepted by others. Modifications carried out or envisaged in certain sites, and especially the destruction of certain historical dimensions of monuments, is much more serious than the over-restoration of the Ofel. This is certainly true concerning the aggressive restoration of the fourteenth century Suqe-l-Qattanin by the Islamic Waqf. However, possible revisions are now being studied by the department of antiquities. The comments of Professor Lemaire will be considered in the context of possible revisions of the Ofel restoration works.

6.2 Excavations in the 'City of David'

The problem raised by Professor Lemaire is now studied in depth by engineers specializing in soil mechanics. Their conclusions will be communicated very soon to Professor Shiloh and to the responsible authorities, who will not fail to act upon them.

6.3 Excavations in the Citadel

Here again there are different schools of thought concerning preservation of ancient sites. In some cases historians and archaeologists insist on the full conservation and display of ancient buildings. This is certainly the case of the Citadel, where rare findings of the little known Hasmonean period were uncovered.

Paragraph 7

The tunnel along the western wall of the Haram al-Sharif

As the works have reached the rock, it can be stated formally and unequivocally that no more works will take place in the tunnel. The engineers of the municipality who have examined the Madrasa-al Manjakiyya have reached the conclusion that the cracks were caused by the presence of septic holes and water cisterns in the vicinity. The Jerusalem municipality has proposed both orally and in writing to help repair the cracks, technically and financially, in conformity with its policy in the old city. This proposition has not been accepted.

Paragraph 7

Muslim fears for al-Haram al-Sharif

Paragraph 2 on page 14 reads: 'This tension between Arabs and Jews was neither serious nor very apparent before 1967, while Muslims were responsible for the administration of the city'. Obviously there were no problems between Jews and Arabs during the Jordanian occupation of Jerusalem as Jews were forbidden to live in the city. The Jewish civilian population of the old city of Jerusalem was either killed before or during the war of 1948 by the Jordanian army or expelled in 1948, and Israeli Jews were banned from their holy sites in Jerusalem. So were non-Israeli Jews, since foreign tourists were required to present their baptising certificate.

In contradiction to this situation, Israeli authorities--the police, the municipality, the Ministry of Justice and the Office of the Legal adviser--are doing everything in their power to assure free access to the holy sites, to provide for security and to prevent any acts of aggression. On the whole they have been successful.

The regrettable arson of the Al-Aqsa mosque was committed by an unstable Christian Australian.

The case of Alan Goodman is a case of an individual acting with neither accomplices nor backing from any group. His condemnable act had no relationship whatsoever with any scheme of occupying Temple Mount.

Regarding the attempt to organize prayers on Temple Mount, it should be outlined that it had in fact been prevented due to the alertness of the Israeli authorities.

The situation in Jerusalem as elswhere should be judged according to government policies and not by the rhetorics of minor extremist groups. Temple Mount is the holiest Jewish site. In spite of that the Israeli authorities prevent Jews by law and by deed from praying on the Mount. Even the Waqf authorities concede that the current policy of the Government of Israel is satisfactory, as can be inferred from the first paragraph of page 16, which reads: '...a shift of the political majority towards a more radical religious integrationism might lead to a disturbing revision of current policy'. The hypothetical assumption of a shift of majority cannot be considered as a serious argument.

The three Yeshivas in the Muslim Quarter are located in buildings which were constructed by Jews in the second half of the nineteenth century, along with many other buildings. The Jewish owners, foundations or individuals, are in possession of the title deeds to their property. All this property was placed under the Jordanian 'custodian of enemy property' during the years 1948-1967.

I would appreciate if this letter will be circulated as an annex to document 116 EX/18.

Please accept, Mr Director-General, the assurances of my highest consideration.

Y. Vered

Ambassador
Permanent Delegate