



**Culture at the Crossroad of  
International Politics  
UNESCO, World Heritage and the  
Holy Land**

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On 29 November 2012, the General Assembly of the United Nations upgraded the status of Palestine from “non-member observer entity” to “non-member observer state.”<sup>1</sup> This was a victory for Palestinian Authority President Mahmoud Abbas. A year earlier, he had failed to secure a vote of the United Nations Security Council on granting Palestine the status of full United Nations member state due to U.S. pressure. The 2012 vote was part of a strategy to achieve Palestinian statehood through official recognition at the United Nations and in United Nations specialized agencies rather than through a peace process with Israel, a process about which many Palestinians had come to feel skeptical. In fact, it was not at the United Nations but at the United Nations Educational, Scientific and Cultural Organization (UNESCO) that the Palestinian Authority achieved its first victory. On 31 October 2011, the UNESCO General Conference granted Palestine the status of full member state.

The vote of the UNESCO General Conference aroused strong opposition from Israel and its main ally for the past fifty years, the United States, both of whom decried the vote as politically risky and detrimental to peace. “There’s only one route to Palestinian statehood,” Israel’s ambassador to the United Nations asserted, “and that route does not run through this chamber in New York. That route runs through direct negotiations between Jerusalem and Ramallah.”<sup>2</sup> The Israeli and the U.S. governments retaliated by cutting funding to UNESCO, which is mainly funded by member states’ contributions. The U.S. decision had serious implications given that U.S. funding amounted to 22 percent of the overall UNESCO budget.

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<sup>1</sup> UN General Assembly, Department of Public Information, News and Media Division, General Assembly votes overwhelmingly to accord Palestine “non-member observer state” status in United Nations, 29 November 2012, <http://www.un.org/News/Press/docs/2012/ga11317.doc.htm> (consulted March 2013).

<sup>2</sup> Cited in General Assembly grants Palestine non-member observer State status at UN, 29 November 2012, UN News Centre, <http://www.un.org/apps/news/story.asp?NewsID=43640#.URjySNuzmaN> (consulted March 2013).



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The U.S. move was not a historical first, as press commentators noted. The United States had withdrawn from UNESCO under the Reagan administration in 1984 and only joined again under the Bush administration in 2002. What commentators failed to mention, however, is that the Holy Land had been a bone of contention at UNESCO long before the 2011 vote. This paper tells the story of this entanglement of culture and politics in the Holy Land and of its internationalization at UNESCO.<sup>3</sup>

### Politics and Cultural Heritage in Jerusalem

As heritage scholars have come to recognize, cultural heritage is not an object or a practice, but a social construct.<sup>4</sup> Cultural heritage is a way of using the past to further present objectives. Such goals can be highly political when competing groups fight about sovereignty over land as in the Holy Land. The marginalization or the obliteration of the cultural record of a rival group is a means of erasing evidence of its former presence. The lack of proper conservation or even the outright destruction of cultural heritage thus is a powerful way of refuting the legitimacy of a group's continued presence and hence of its sovereignty claims. Given the long-disputed status of Jerusalem, cultural heritage in this holy city has naturally been a terrain of contest between Israelis and Arabs, that is, primarily the Jordanian government and the Palestinians.

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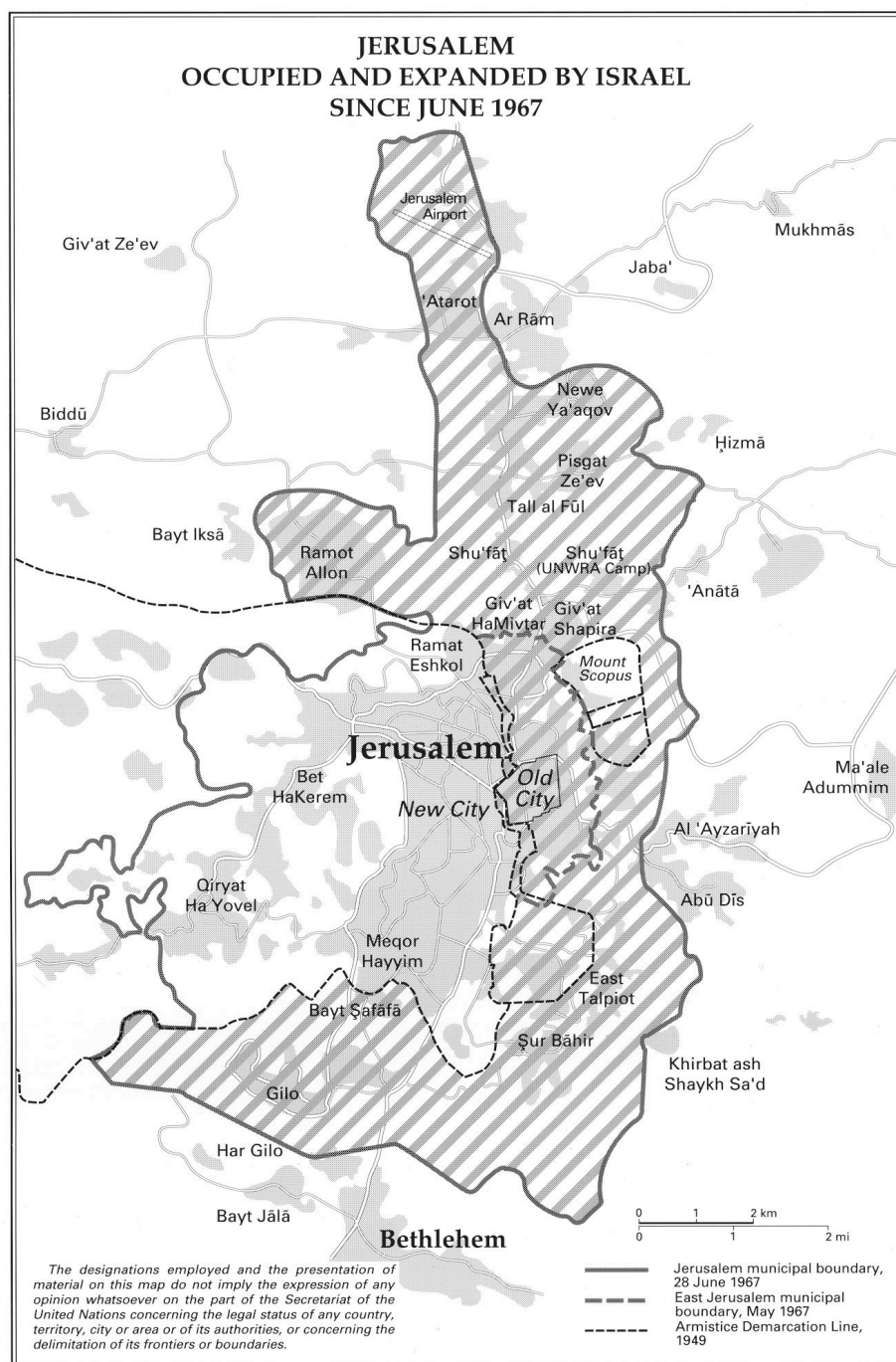
<sup>3</sup> This paper is a preliminary study of a topic that has yet to be explored in depth by historians. It is largely based on so-called "official" UNESCO documents from the digitalized UNESCO archives and news articles.

<sup>4</sup> Brian Graham, G. J. Ashworth, and J. E. Tunbridge, *A Geography of Heritage: Power, Culture, and Economy* (London and New York: Arnold and Oxford University Press, 2000). 7; Laurajane Smith, "General Introduction," in *Cultural Heritage: Critical Concepts in Media and Cultural Studies*, ed. Laurajane Smith (London: Routledge, 2007), 2.



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MAP NO. 3640 Rev. 1 UNITED NATIONS  
SEPTEMBER 1991

Jerusalem Occupied and Expanded by Israel since June 1967, Map No. 3640 Rev. 1,  
September 1991  
Source: United Nations





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The eastern part of Jerusalem, which encompasses the old city, was under Jordanian rule for nearly two decades before coming under Israeli control. The 1947 United Nations Partition Plan of the mandated territory of Palestine had granted Jerusalem the status of an international city. During the 1948 Arab-Israeli war, however, the newly proclaimed independent state of Israel seized the western part of Jerusalem. Jordan seized the West Bank, including East Jerusalem, giving the right to Palestinians to claim Jordanian citizenship. Israel extended its control over the West Bank during the 1967 Six-Day-War between Israel and neighboring Arab states. In 1974 the League of Arab States recognized the Palestine Liberation Organization—an organization created ten years earlier—as “the sole legitimate representative of the Palestinian people,” denying Jordan’s right to speak on behalf of the Palestinians.<sup>5</sup> Jordan, however, only relinquished its territorial claims over the West Bank in June 1988, shortly after the start of the first *intifada*, a Palestinian uprising in the West Bank directed against both Israeli rule and foreign Arab governments.<sup>6</sup> The legislative council of the Palestine Liberation Organization subsequently adopted the Palestinian Declaration of Independence, proclaiming “the establishment of the State of Palestine on our Palestinian land, with the Holy City of Jerusalem as its capital.”<sup>7</sup> Eight years earlier, however, the Israeli parliament had proclaimed “Jerusalem, complete and united” to be “the capital of Israel” through the Basic Law of 1980—one that the United Nations Security Council declared void (with the United States abstaining from the vote).<sup>8</sup>

In this highly disputed context, Israel implemented plans of urban restoration and renewal in East Jerusalem immediately after the 1967 Six-Day-War. The demolition of the Moroccan or Mughrabi quarter, an 800-year old neighborhood, caused indignation among Arabs.<sup>9</sup> Israeli authorities were accused of seeking to Judaize Jerusalem under the pretext of urban modernization. They also came under sharp attack over archaeological excavations—notably large-scale excavation plans in the Jewish quarter and at the southern edge of the *Haram ash Sharif* (Noble Sanctuary), a site from which Prophet Muhammad is believed to have ascended into heaven.<sup>10</sup> Jordan presented these excavations

<sup>5</sup> Amy Hackney Blackwell, “Palestine Liberation Organization,” in *The Encyclopedia of the Arab-Israeli Conflict: A Political, Social and Military History*, ed. Spencer C. Tucker (Santa Barbara, CA: ABC-CLIO, 2008), 783.

<sup>6</sup> Rami Nasrallah, “The First and Second Intifadas,” in *The Routledge Handbook on the Israeli-Palestinian Conflict*, ed. Joel Peters and David Newman (London and New York: Routledge, 2013), 62.

<sup>7</sup> Palestinian National Council Declaration of Independence, 14 November 1988, <http://www.multaqa.org/pdfs/PNC%20INDEPENDANCE%20DECLARATION.pdf> (consulted March 2013).

<sup>8</sup> Knesset, Basic Laws, Basic Law: Jerusalem, Capital of Israel, [http://www.knesset.gov.il/laws/special/eng/basic10\\_eng.htm](http://www.knesset.gov.il/laws/special/eng/basic10_eng.htm) (consulted March 2013).

<sup>9</sup> Thomas Abowd, “The Moroccan Quarter: A History of the Present,” *Jerusalem Quarterly*, no 7 (2007), 6-16, [http://www.jerusalemquarterly.org/images/ArticlesPdf/7\\_the%20moroccan.pdf](http://www.jerusalemquarterly.org/images/ArticlesPdf/7_the%20moroccan.pdf) (consulted March 2013).

<sup>10</sup> Craig Larkin and Michael Dumper, “UNESCO and Jerusalem: Constraints, Challenges and Opportunities,” *Jerusalem Quarterly*, no 39 (2009), 17, [http://www.jerusalemquarterly.org/images/ArticlesPdf/39\\_UNESCO.pdf](http://www.jerusalemquarterly.org/images/ArticlesPdf/39_UNESCO.pdf) (consulted March 2013).



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as a threat to existing, non-Jewish cultural heritage.<sup>11</sup> It also accused Israel of using them to try and extend its administrative control to the Temple Mount and the holy places located on this hill, the *Haram ash Sharif* and the Al-Aqsa Mosque, for which Jordan was still the guardian. More broadly, there were concerns among the Palestinians and Arab governments that the Israelis were searching for artifacts demonstrating the long-time Jewish presence in the area at the expense of archaeological remains associated with Islam (and Christianity).

Israeli authorities, however, contested these accusations. They argued that their policy was designed both to modernize and expand the urban infrastructure in response to population growth and economic development and to revive certain districts—particularly the Jewish quarter—through restoration. They rebutted criticisms against their maintenance and archeological work in the ancient drainage channels—notably the channels reaching to the rock of the *Haram ash Sharif*—by claiming that a sewage system dating back to the time of Herod needed to be cleared and upgraded.<sup>12</sup> The Jewish quarter, they also stated, had been “wantonly and deliberately destroyed during and especially after the 1948 war,” and only after the 1967 Six-Day-War had a plan for proper reconstruction been implemented.<sup>13</sup>

Hoping to strengthen its position, Jordan brought the matter before UNESCO—successfully so from a Jordanian perspective. From 1967 onwards, the UNESCO General Conference and the UNESCO Executive Board—two of the three constitutional organs of UNESCO besides the Secretariat—adopted a series of texts urging Israel to “preserve scrupulously” all cultural properties in East Jerusalem and to “desist from any archeological excavations,” and subsequently condemning Israel’s non-compliance.<sup>14</sup> These texts were very critical of Israel although the UNESCO director-general’s representative for Jerusalem—Raymond Lemaire, a Belgian architectural historian and professor at the Catholic University of Leuven and at the University of Louvain-la-Neuve—struck a milder note in his reports. In 1971, Lemaire wrote that the Jerusalem municipality was taking sensible and even “courageous” steps to preserve the town landscape of the entire city.<sup>15</sup> Commenting on archeological excavations in 1974, he stated that “perusal of some of the

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<sup>11</sup> Hashemite Kingdom of Jordan, *Mémoire à joindre au rapport du gouvernement de la Jordanie sur la violation de la Convention de La Haye et des résolutions 15 C/3.343, 3.342, 83 EX/Décisions 4.3.2 et 82 EX/Décisions 4.4.2 adoptées par l’UNESCO*, undated (sent on 8 October 1971), included in UNESCO Executive Board, 88 EX/46 4.3.1, <http://unesdoc.unesco.org/images/0000/000004/000472fb.pdf> (consulted March 2013).

<sup>12</sup> Raymond Goy, “La question de Jérusalem à l’UNESCO,” *Annuaire français de droit international* 22(1976): 425. On the work that was conducted, see also UNESCO Executive Board, Report by the Director-General in pursuance of 93 EX/Decision 4.5.1 (Jerusalem), 94 EX/14, 1974, Annex, Facts noted and observations made by the director-general’s representative for Jerusalem, <http://unesdoc.unesco.org/images/0000/000085/008590eb.pdf> (consulted March 2013).

<sup>13</sup> UNESCO General Conference, Jerusalem and the application of 21 C/Resolution 4/14, 22 C/90, 1983, Annex VII, Permanent delegation of Israel to UNESCO, letter to UNESCO director-general, 8 June 1983, <http://unesdoc.unesco.org/images/0005/000572/057204eo.pdf> (consulted March 2013).

<sup>14</sup> UNESCO Executive Board, Decision 83 EX/4.3.1, 1969, <http://unesdoc.unesco.org/images/0011/001132/113200E.pdf> (consulted March 2013); Goy, “La question de Jérusalem à l’UNESCO,” 420-33.

<sup>15</sup> Cited in *ibid.*, 426, note 60.



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documents prepared gives one the impression that some of the criticisms that have been leveled at the methods used in the excavations are groundless.” The excavations, he added, were being conducted by “a perfectly well qualified team of experts” who paid careful attention to “all the periods of which remains have been found on the site.”<sup>16</sup>

### Jordan, Jerusalem, and the UNESCO World Heritage Convention

In 1980, Jordan turned to a new UNESCO instrument as a platform to stake its claims over East Jerusalem vis-à-vis Israel: the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage. The World Heritage Convention had been conceived as a cultural, rather than a political, instrument—one designed to provide “an effective system of collective protection of the cultural and natural heritage of outstanding universal value.”<sup>17</sup> Early on, however, states used the Convention and particularly the list of sites of “outstanding universal value”—the World Heritage List—created in 1978 to pursue distinct national agendas and/or compete for international prestige.<sup>18</sup> As early as 1981, Jordan secured the inclusion of the “Old City of Jerusalem and its Walls” in East Jerusalem in the World Heritage List. At an extraordinary session held in 1981, the intergovernmental body in charge of implementing the World Heritage Convention—the World Heritage Committee—accepted Jordan’s nomination. The World Heritage Committee is composed of delegates from twenty-one States Parties to the World Heritage Convention elected by the treaty signatories. The vote was cast by a majority of fourteen against one (the United States) with five abstentions and one Committee member failing to attend the meeting.

The Jordanian government had been astute enough to frame its nomination in strictly cultural terms. It had refrained from making territorial claims although the World Heritage Convention stated that it was “for each State Party to this Convention to identify and delineate the different properties situated *on its territory*.”<sup>19</sup> The Egyptian delegation, however, carried the Jordanian voice when declaring that it had supported the Jordanian nomination “in affirmation of the fact that Egypt considers the occupied city of Jerusalem to be Arab sovereign territory.”<sup>20</sup>

Criticisms of the undue politicization of World Heritage were themselves politically motivated. Indeed, they came from those opposing the Jordanian plan because they were supporters of Israel, notably the United States. The U.S. government had not—and still has not today—recognized Jerusalem as the capital of Israel, advocating instead a

<sup>16</sup> UNESCO Executive Board, Report by the Director-General in pursuance of 93 EX/Decision 4.5.1 (Jerusalem), 94 EX/14, 1974, Annex, Facts noted and observations made by the director-general’s representative for Jerusalem, <http://unesdoc.unesco.org/images/0000/000085/008590eb.pdf> (consulted March 2013).

<sup>17</sup> Convention Concerning the Protection of the World Cultural and Natural Heritage, <http://whc.unesco.org/en/conventiontext/> (consulted March 2013).

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.; emphasis added by the author.

<sup>20</sup> World Heritage Committee, first extraordinary session, Paris, 10–11 September 1981, Annex IV, CC-81/CONF.008/2Rev., 30 September 1981, 2, <http://whc.unesco.org/archive/1981/cc-81-conf008-2reve.pdf> (consulted March 2013).





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negotiated settlement. The U.S. delegation nevertheless came out strongly in support of Israel. It backed the Israeli plea for participation in the 1981 discussions of the World Heritage Committee, even though Israel had not ratified the World Heritage Convention. Israel, the U.S. delegation asserted, should be given the right to speak “as the State responsible for the administration and *de facto* control of the Old City of Jerusalem.”<sup>21</sup> The U.S. delegation also used legal arguments to try and defeat Jordan’s initiative—to no avail.

In accepting Jordan’s proposal, the World Heritage Committee followed the recommendation of an expert-based international non-governmental organization, the International Council on Monuments and Sites (ICOMOS)—albeit a recommendation based on art historical rather than political grounds. ICOMOS was an organization created in 1965 to promote the worldwide use of best practice standards—that is, primarily European standards—in matters of architectural conservation. ICOMOS was subsequently granted the status of advisory body in the implementation of the World Heritage Convention along with the International Centre for the Study of the Preservation and Restoration of Cultural Property and the International Union for Conservation of Nature. Specifically, ICOMOS was charged with the evaluation of nominated cultural sites. In its evaluation, ICOMOS insisted on Jerusalem’s association with “the history of the three great monotheist religions,” the architectural significance of monuments such as the Church of the Holy Sepulchre and the *Haram ash Sharif*, and Jerusalem’s “exceptional testimonies to its vanished civilizations.”<sup>22</sup> There was only passing mention of political disputes, and that only to strengthen the case for inclusion of Jerusalem in the List.

In 1982, the World Heritage Committee went further by accepting Jordan’s proposal to include the “Old City of Jerusalem and its Walls” in the List of World Heritage in Danger. This decision implicitly endorsed Jordanian accusations of Israeli mismanagement of cultural heritage. The Jordanian delegation mentioned “the destruction of religious properties, threats of destruction due to urban development plans, deterioration of monuments due to lack of maintenance and responsible management, as well as the disastrous impact of tourism on the protection of the monuments.”<sup>23</sup> ICOMOS supported the Jordanian initiative, once more on preservation rather than political grounds.<sup>24</sup>

Presumably because of Israel’s conflicting relationship with the UNESCO General Conference and the UNESCO Executive Board, which it perceived as pro-Arab, the Israeli government only ratified the World Heritage Convention in 1999. It immediately went on to propose in June 2000 “Jerusalem – the Old City and Ramparts to include Mount Zion” for possible inclusion in the World Heritage List as an extension of the “Old City of

<sup>21</sup> Ibid.; emphasis in the original.

<sup>22</sup> ICOMOS, [Evaluation], World Heritage List no. 148 (Rev.), April 1981, [http://whc.unesco.org/archive/advisory\\_body\\_evaluation/148.pdf](http://whc.unesco.org/archive/advisory_body_evaluation/148.pdf) (consulted March 2013).

<sup>23</sup> World Heritage Committee, sixth session, Paris, 13–17 December 1982, CLT-82/CH/CONF.015/8, 17 January 1983, 11, <http://whc.unesco.org/archive/1982/clt-82-conf015-8e.pdf> (consulted March 2013).

<sup>24</sup> Ibid.



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Jerusalem and its Walls.” The Palestinians decried it as an attempt to legitimize Israeli rule over Jerusalem.<sup>25</sup> Mount Zion is a hill located just outside the walls of the old city, and it houses the so-called Tomb of King David.<sup>26</sup> Israel seized Mount Zion in 1948. Already in the aftermath of the 1948 war, Israeli authorities endeavored to transform it into Israel’s principal religious site, due in part to its strategic value as an Israeli outpost in the West Bank. They launched archaeological excavations to uncover records of the House of David and thus prove the Jewish character of the site.<sup>27</sup> In 2001, in the context of the second *intifada* which had begun in September 2000, the Bureau of the World Heritage Committee ruled to postpone consideration of Israel’s proposed nomination of Jerusalem until an international agreement was reached on the status of the city.<sup>28</sup>

Tensions over Jerusalem at UNESCO peaked again in recent years over access to the Mughrabi Gate—the only entrance to the Temple Mount for non-Muslim visitors, including Israeli security forces in case of emergency. In 2004 the sand embankment providing access to the Mughrabi Gate—the so-called Mughrabi Ascent—collapsed due to rainstorm, snow, and earth tremors.<sup>29</sup> The construction of a temporary bridge in 2007 spurred Muslims to take to the street to protect their holy sites against the perceived threat of an Israeli take-over.<sup>30</sup> Jordan and Israel have since been battling over a permanent access solution. In May 2011, Israel presented the UNESCO Secretariat with a plan for a permanent bridge.<sup>31</sup> At the June 2011 World Heritage Committee meeting, Jordan successfully tabled a motion condemning any unilateral move by Israel. Jordan proposed this motion because it was still in charge of administering the Muslim holy places in Jerusalem although it had disengaged from the West Bank in 1988.<sup>32</sup> The Palestinian

<sup>25</sup> Stuart Littlewood, “Success at UNESCO: One up to the Palestinian,” 31 October 2011, *Intifada Voice of Palestine*, <http://www.intifada-palestine.com/2011/10/one-up-to-the-palestinians/> (consulted March 2013).

<sup>26</sup> Mount Zion was identified as the site of the Tomb of King David by Christian crusaders. It had also been identified in the fourth century as the site of the Christian Last Supper.

<sup>27</sup> Doron Bar, “Wars and Sacred Space: The Influence of the 1948 War on Sacred Space in the State of Israel,” in *Holy Places in the Israeli-Palestinian Conflict: Confrontation and Co-Existence*, ed. Marshall J. Breger, Yitzhak Reiter, and Leonard M. Hammer (London and New York: Routledge, 2010), 72-76.

<sup>28</sup> Bureau of the World Heritage Committee, twenty-fifth session, Paris, 25-30 June 2001, Report of the rapporteur, WHC-2001/CONF.205/10, 17 August 2001, 57-58, <http://whc.unesco.org/archive/2001/whc-01-conf205-10e.pdf> (consulted March 2013).

<sup>29</sup> Nadav Shragai, “The Mughrabi Gate to the Temple Mount in Jerusalem: The Urgent Need for a Permanent Access Bridge,” *Jerusalem Viewpoints*, no 585 (September-October 2011), <http://jcpa.org/article/the-mughrabi-gate-to-the-temple-mount-in-jerusalem-the-urgent-need-for-a-permanent-access-bridge-2/> (consulted March 2013).

<sup>30</sup> Sharon Rosen, “The Importance of Interfaith Cooperation for the Protection of Jerusalem’s Holy Sites,” in *Sacred Space in Israel and Palestine: Religion and Politics*, ed. Marshall J. Breger, Yitzhak Reiter, and Leonard M. Hammer (London and New York: Routledge, 2012), 250-51.

<sup>31</sup> World Heritage Committee, thirty-fifth session, Paris, 19-29 June 2011, Decisions, WHC-11/35.COM/20, 7 July 2011, 33, <http://whc.unesco.org/archive/2011/whc11-35com-20e.pdf> (consulted March 2013).

<sup>32</sup> In its 1994 peace treaty with Jordan, Israel committed to “respect[ing] the present special role of the Hashemite Kingdom of Jordan in Muslim Holy shrines in Jerusalem.” It also pledged to “give high priority to “the Jordanian historic role” in the custodianship of





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observer delegation expressed support for the Jordanian motion. Arab World Heritage Committee members—Bahrain, Egypt, Iraq, and the United Arab Emirates—likewise backed the Jordanian initiative. The Israeli observer delegation to the World Heritage Committee, however, objected to the text by pointing to a prior June 2011 agreement between Israel and Jordan on the new Mughrabi Ascent. After the vote, the Israelis voiced strong disapproval. “The Jordanians lied in a way that cannot be believed, both to us and to the Americans,” the Israeli ambassador to UNESCO forcefully stated.<sup>33</sup> Nonetheless, the World Heritage Committee’s decision subsequently prompted an Israeli governmental order to freeze the project.<sup>34</sup>

### Palestine and UNESCO: World Heritage Status for Bethlehem

The recent feud over Bethlehem’s inscription on the World Heritage List bears similarities to the World Heritage battles over Jerusalem in 1981 and 1982 for its highly political dimension.

The Palestinian Authority had presented the “Birthplace of Jesus: Church of the Nativity and the Pilgrimage Route, Bethlehem” as an “emergency nomination” in order to secure the coveted World Heritage title in 2012, that is, less than one year after UNESCO’s acceptance of Palestine as full member state. The agreements between Israel and the Palestine Liberation Organization forming the Oslo Peace Accords (1993–1998) had created the Palestinian Authority in 1993 and granted it control over the West Bank, including the city of Bethlehem, and Gaza in 1995.<sup>35</sup> Like the Jordanian Kingdom in 1982, the Palestinian Authority blamed Israel in 2012 for its detrimental action on treasured cultural heritage. Unlike East Jerusalem in 1982, Bethlehem, however, was no longer under Israeli rule in 2012. In its nomination file, the Palestinian Authority thus mentioned both long-lasting problems and the implications of the current geopolitical situation for cultural heritage conservation. The Church of the Nativity and the surrounding monastic complex, it stated, had greatly suffered from the lack of adequate preservation and restoration work, with water penetrating through the roof of the church.<sup>36</sup> The Palestinian Authority also argued that because Bethlehem’s periphery was

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Muslim holy shrines” in future negotiations over the status of Jerusalem (Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan, 26 October 1994, <http://www.mfa.gov.il/MFA/Peace+Process/Guide+to+the+Peace+Process/Israel-Jordan+Peace+Treaty.htm> [consulted March 2013]).

<sup>33</sup> Cited in Danna Harman, “Israel Furious with Jordan over Condemnation of Jerusalem’s Old City,” Haaretz.com, 28 June 2011, <http://www.haaretz.com/print-edition/news/israel-furious-with-jordan-over-condemnation-of-jerusalem-s-old-city-renovation-1.369943> (consulted March 2013).

<sup>34</sup> Itamar Eichner, “UNESCO Censures Israel over Mughrabi Bridge,” 28 June 2011, ynetnews.com, <http://www.ynetnews.com/articles/0,7340,L-4088221,00.html> (consulted March 2013).

<sup>35</sup> Galia Golan, “Peace Plans, 1993–2010,” in *The Routledge Handbook on the Israeli-Palestinian Conflict*, ed. Joel Peters and David Newman (London and New York: Routledge, 2013), 92–94.

<sup>36</sup> World Heritage nomination document, Birthplace of Jesus: Church of the Nativity and the Pilgrimage Route, 117, <http://whc.unesco.org/uploads/nominations/1433.pdf> (consulted March 2013).



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“controlled by the Israeli military,” the Palestinians could only build in the city centre and the adjacent areas, causing pressure on the historic town.

ICOMOS, however, did not support the proposal of the Palestinian Authority, recommending resubmitting the nomination following the regular procedure instead.<sup>37</sup> It called for a more complete analysis of the elements testifying to the outstanding universal value of the Church and the architectural complex. It judged the threats to be “grave” but “long-standing.” As such, they did not require “emergency measures.” It also stressed that what had prevented conservation work was “the lack of collaboration” for the past “thousand years” between the three Christian custodians of the Church of the Nativity—the Armenian Orthodox Church, the Greek Orthodox Church, and the Franciscan Order<sup>38</sup>—as opposed to improper Israeli (or Palestinian) management. ICOMOS added that a recent Palestinian Authority presidential decree had allowed the creation of a joint committee in charge of directing Palestinian-funded repair work. “The vulnerability of the roof of the Church of the Nativity,” it concluded, “is now being addressed in the best way possible through the concerted efforts of the main parties.”

Like eleven other sites in 2012, Bethlehem, however, was included in the World Heritage List against the recommendation of advisory bodies—ICOMOS and, for natural sites, the International Union for Conservation of Nature. In 2012, the World Heritage Committee thus inscribed twelve out of twenty-six sites—including sites in Brazil, India, Malaysia, Senegal, Sweden, and Turkey—that is, forty-six percent, against the advice of experts.<sup>39</sup> Since the late 2000s, the governmental delegates to the World Heritage Committee have indeed increasingly been ignoring the recommendations of experts in their rush to add sites to the World Heritage List—notably the sites located on their territory or on the territory of states willing to accept their nominations in a quid pro quo process.<sup>40</sup>

More than any of the other sites inscribed against the advice of experts in 2012, however, Bethlehem cast into sharp focus the international entanglement of culture and politics. The Palestinian Authority made no attempt to hide its political motivations—quite the opposite. Palestinian Foreign Minister Riyad Malki stated that “the victory of Palestine in international organizations is the beginning of the end of

<sup>37</sup> ICOMOS, [Evaluation], Church of the Nativity, Bethlehem (Palestine), no 1433, 14 May 2012, [http://whc.unesco.org/archive/advisory\\_body\\_evaluation/1433.pdf](http://whc.unesco.org/archive/advisory_body_evaluation/1433.pdf) (consulted March 2013).

<sup>38</sup> Ibid.

<sup>39</sup> UNESCO, World Heritage Centre, Twenty-six new sites inscribed on UNESCO World Heritage List this year, <http://whc.unesco.org/en/news/903> (consulted March 2013). The ICOMOS/International Union for Conservation of Nature evaluations (available on the website of the UNESCO World Heritage Centre, <http://whc.unesco.org/en/list/> [consulted March 2013]) were consulted for each of these twenty-six sites.

<sup>40</sup> Henry Cleere, “The 1972 UNESCO World Heritage Convention: A Success or a Failure?,” *Heritage and Society* 4, no. 2 (2011): 177-78; Jukka Jokilehto, “World Heritage: Observations on Decisions Related to Cultural Heritage,” *Journal of Cultural Heritage Management and Sustainable Development* 1, no. 1 (2011): 67-69; Lynn Meskell, “The Rush to Inscribe: Reflections on the 35th Session of the World Heritage Committee, UNESCO Paris, 2011,” *Journal of Field Archaeology* 37, no. 2 (2012): 145-51; Christoph Brumann, “Unser aller Kulturgut: Eine ethnologische Annäherung an das UNESCO-Welterbe,” *Sociologus* 61, no. 1 (2011): 34-35.



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the Israeli occupation.”<sup>41</sup> Conversely, the Israeli prime minister’s office blamed the Palestinians for “acting unilaterally in ways that only distance [peace].”<sup>42</sup> “They have portrayed Israel as a reckless and uncivilized destroyer of cherished Christian and Muslim holy places, and thus unfit to be included in the family of nations,” *The Jerusalem Post* vehemently lamented.<sup>43</sup> Israeli news channels also reported that the three Christian custodians of the Church of the Nativity had likewise been opposed to inclusion of the site in the List of World Heritage in Danger.<sup>44</sup>

### Looking forward

Taking a familiar stance, the U.S. ambassador to UNESCO declared after Bethlehem’s inscription that World Heritage “should not be politicized.”<sup>45</sup> Politics, however, had been present from the start in World Heritage, as it had been present in UNESCO’s prior debates over cultural heritage in Jerusalem.

It is wishful thinking to believe that cultural heritage can be divorced from politics. The conservation and the restoration of cultural heritage imply choices. They mobilize conflicting interests at local, regional, national, and international levels. UNESCO and the World Heritage Convention have provided international forums in which competing groups may wage their battle over ownership of the past, identity, and ultimately existence.

The Holy Land will remain a highly contentious topic in international cultural heritage politics so long as there is no lasting peace and a true reconciliation between the Israelis and the Palestinians. “Jerusalem – the Old City and Ramparts to include Mount Zion” is still on the list of possible Israeli World Heritage sites.<sup>46</sup> The Palestinian Authority plans to nominate some twelve other sites.<sup>47</sup> Its hope for 2013 is to secure World Heritage listing for a cultural landscape conceived to affirm the distinct

<sup>41</sup> Cited in Kareem Khadder, “UNESCO Grants Bethlehem Church ‘World Heritage’ Status,” CNN, 30 June 2012, <http://edition.cnn.com/2012/06/29/world/meast/palestinian-bethlehem-heritage-site> (consulted March 2013).

<sup>42</sup> Cited in Isabel Kershner, “Unesco Adds Nativity Church in Bethlehem to Heritage List,” *The New York Times*, 29 June 2012, [http://www.nytimes.com/2012/06/30/world/middleeast/unesco-grants-heritage-status-to-nativity-church-in-diplomatic-victory-to-palestinians.html?\\_r=0](http://www.nytimes.com/2012/06/30/world/middleeast/unesco-grants-heritage-status-to-nativity-church-in-diplomatic-victory-to-palestinians.html?_r=0) (consulted March 2013).

<sup>43</sup> David Parsons, “The Fiasco at UNESCO,” *The Jerusalem Post*, 7 July 2012, <http://www.jpost.com/Opinion/Op-EdContributors/Article.aspx?id=276711> (consulted March 2013).

<sup>44</sup> “UNESCO Places Bethlehem’s Nativity Church on World Heritage Endangered Site List,” *The Times of Israel*, 29 June 2012, <http://www.timesofisrael.com/unesco-votes-to-put-bethlehems-church-of-nativity-on-world-heritage-list-of-endangered-sites/> (consulted March 2013).

<sup>45</sup> Statement by U.S. Ambassador to UNESCO David Killian on the emergency inscription of the Church of the Nativity as a World Heritage Site, 29 June 2012, United States Mission to UNESCO, U.S. Policy Statements, <http://unesco.usmission.gov/statement-nativity.html> (consulted March 2013).

<sup>46</sup> UNESCO World Heritage Centre, tentative lists, Israel, Jerusalem\*, <http://whc.unesco.org/en/tentativelists/1483/> (consulted March 2013).

<sup>47</sup> UNESCO World Heritage Centre, tentative lists, Palestine, <http://whc.unesco.org/en/tentativelists/state=ps> (consulted March 2013).





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identity of the land of Palestine: “Palestine: Land of olives and vines. Cultural Landscape of Southern Jerusalem, Battir.”<sup>48</sup>

\* Swiss National Science Foundation Ambizione fellow and guest lecturer, The Graduate Institute, Geneva

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<sup>48</sup> “Palestine Ready to Propose Battir for UNESCO Protection,” Ma’an News Agency, 1 February 2013, <http://maannews.net/ENG/ViewDetails.aspx?ID=561121> (consulted March 2013); Centre for Cultural Heritage Preservation (Bethlehem), Inscribing Battir on the World Heritage List, 1 February 2013, <http://whc.unesco.org/en/tentativelists/5748/> (consulted March 2013); UNESCO World Heritage Centre, tentative lists, Palestine, Palestine: Land of olives and vines. Cultural Landscape of Southern Jerusalem, Battir, <http://whc.unesco.org/en/tentativelists/5748/> (consulted March 2013).



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