

MEDIA UPDATE

Jerusalemites and CCR appeal to UNESCO to protect Mamilla Cemetery and condemn Israeli demolition of grave markers

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Appeal for action by UNESCO

On January 21, 2011, descendants of individuals buried in Mamilla cemetery in Jerusalem submitted an additional appeal to the United Nations Educational, Scientific, and Cultural Organization (UNESCO) to act urgently to protect the historic cemetery. This new initiative came as an Israeli court gave the Jerusalem Municipality permission to demolish an additional 200 recently renovated grave markers. The *Center for Constitutional Rights* (CCR) and the *Campaign to Preserve Mamilla Jerusalem Cemetery* submitted a request to UNESCO on behalf of the 60 descendants who originally petitioned UNESCO and other UN bodies in February 2010.

In response to the 2010 petition, UNESCO claimed its mandate does not extend beyond the Old City of Jerusalem, so it can do no more to stop the destruction of Mamilla Cemetery than pursue dialogue among the parties (*attached*). Petitioners' January 21st response (*attached*) appeals to UNESCO to fulfill its mandate to protect and preserve important cultural heritage sites by protecting Mamilla Cemetery, the most historically important Muslim burial ground in Jerusalem. Companions of the Prophet Muhammad from the 7th century are believed to have been buried at the site, which also holds the remains of Sufi saints and of notables, scholars, and individuals from Jerusalem buried there over many centuries. Thousands of human remains and gravestones have been disinterred and destroyed since 2009 so the Simon Wiesenthal Center can construct a "Museum of Tolerance."

"The fact that there remains no internationally recognized authority over the whole of Jerusalem makes it incumbent on international agencies such as UNESCO to facilitate international oversight over important cultural sites that would otherwise be neglected or destroyed, as has been and is the case with the Mamilla Cemetery," said the letter signed jointly by Columbia University Professor Rashid Khalidi and CCR Senior Staff Attorney Maria LaHood.

Petitioners maintain that UNESCO's mandate extends beyond protecting sites on the World Heritage List (such as the Old City), as is evident from UNESCO's prior positions on issues related to the undetermined legal status of the entirety of Jerusalem, and its previous attention to Israeli encroachment on Mamilla cemetery itself. United Nations and UNESCO resolutions recognize that the status of Jerusalem, its eastern and western parts alike, remains unresolved.

The letter further requests that UNESCO fulfill its role of facilitating “dialogue among civilizations, cultures and peoples, based upon respect for commonly shared values” by increasing its efforts to convince the Israeli Government to halt construction of the so-called “Museum of Tolerance” atop the cemetery, along with other plans to build there.

Recent developments on the Mamilla site

In early January 2011, an Israeli district court rejected an injunction brought by the Israeli *Shari'a* court-appointed caretakers of the cemetery to stop the destruction of an additional 200 grave markers that had been recently renovated with the acquiescence of Israeli authorities. The Municipality had permitted the caretakers' efforts since early 2010 to clean up the cemetery, which resulted in the removal of 70 truckloads of wood chippings and waste from around remaining grave markers and the renovation and repair of hundreds of grave markers over several months. In August 2010, the Jerusalem Municipality bulldozed at least 150 grave markers (tombstones and/or headstones) and halted renovation efforts in the small portion of the cemetery that remains intact. . The August 2010 demolition followed an Israeli media outlet's accusations that “fake tombs” had been built, leading the Municipality to renege on its consent to the renovation.

Many more of the renovated markers are again slated for demolition by Israeli authorities. Says Maria LaHood: *“Petitioners have consistently opposed Israeli efforts to dictate what is sacred to descendants and to Muslims in general. How can Israel and the Simon Wiesenthal Center deny the importance to Muslims of paying respect to their ancestors - whose remains were disinterred and discarded to build a ‘Museum of Tolerance’? We are all responsible for preventing the continued desecration of Mamilla cemetery and for ensuring that it is renewed as a true site of tolerance.”*

The Simon Wiesenthal Center has vowed to complete the “Museum of Tolerance,” unveiling a new architectural design late last year after Frank Gehry withdrew from the project. Recent pictures show that construction of the “Museum of Tolerance” is currently underway behind a high enclosure, even as human remains, gravestones and archaeological artifacts remain on the site.

The Petition, Addendum and other documents are available at www.mamillacampaign.org and <http://www.ccrjustice.org/ourcases/current-cases/mamilla>.

The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change. Visit www.ccrjustice.org.

The Campaign to Preserve Mamilla Jerusalem Cemetery was initiated by the Petitioners, and is a wholly civil, volunteer initiative with no political coloring. All 60 individual petitioners are descendants of 15 of Jerusalem's most prominent and longest established families and have no relation with previous individual or institutional claimants in Israeli courts. The Petition was also supported by 16 human rights non-governmental organizations, based in Israel and the Occupied Palestinian Territory, including Jerusalem.