

September 21, 2023

## **Comments on the Inscription of Tel es-Sultan, Jericho as a World Heritage Site in Palestine**

### **Introduction**

In a welcome development on Sunday, 17<sup>th</sup> September, the 21 State members of UNESCO's World Heritage Committee gathered during the extended 45th session in Riyadh (Kingdom of Saudi Arabia) and decided by consensus to inscribe Ancient Jericho/Tel es-Sultan as a World Heritage Site in Palestine.

During the weeks preceding the committee session, and in the days that followed it, [Israeli lawmakers](#), the [Foreign Ministry](#), the [Ministry of Public Diplomacy](#), and settler organizations made a series of statements and wrote letters in which they expressed their fierce objection to the intended inscription. The remarks are informed by an ultra-nationalist world view and have little to do with the professional considerations that have underpinned the process of submitting the site for inscription by UNESCO's World Heritage Committee. The selective attribution of cultural significance by nationalists who use heritage as a pretext for asserting exclusive cultural affinity and ownership rights now informs the heritage policy advanced by the Israeli government.

In light of this aggressive campaign against the inscription, we would like to address some of the frequently asked questions about the considerations informing the inscription process.

### **What is a World Heritage Site?**

A World Heritage Site is a place considered by the United Nations' Educational, Scientific and Cultural Organization's (UNESCO) World Heritage Committee (WHC) to possess 'Outstanding Universal Value' (OUV) according to at least one of the [ten criteria](#) outlined by the [World Heritage Convention](#). Sites can be either cultural (man-made), natural, or mixed. OUVs are considered to transcend national boundaries and to be of importance for future generations.

The WHC is composed of 21 countries selected on a rotating basis out of UNESCO's member states. Governments of member states who submit sites for inscription have ratified the World Heritage Convention. Both Israel and the Palestinian Authority have ratified the convention but Israel withdrew from UNESCO in 2019. The Convention (article 11) addresses

the question of sites included in a territory which is claimed by more than one state stipulating that an inscription “shall in no way prejudice the rights of the parties to the dispute.”

The status of a World Heritage Site yields many advantages. First and foremost it provides another layer of protection as it encourages the state party to develop plans for preservation and protection for the site according to best practices. States with World Heritage Sites in their territory are required to submit State of Conservation reports periodically to the WHC so that the committee can assess conditions at the site and decide on certain measures if necessary. Sites with World Heritage status also attract funding for research, conservation and the development of tourism. The International Council of Monuments and Sites ([ICOMOS](#)) is now integrating these advantages with the UN’s Sustainable Development Goals (SDG) frameworks as supporting actions to (among other things) battle poverty, inequality, promote education and enhance social well-being.

#### **What is the process of inscribing a site?**

Governments who have ratified the World Heritage Convention may submit an inventory of sites which they believe meet the criteria outlined by the Convention to be included in a [Tentative List](#). The assumption is that the sites on the Tentative list will be submitted for inscription within ten years. In order for a site to qualify for submission, the application must also include a management plan that outlines how it will be protected. States can request help from UNESCO for putting a submission together.

To qualify for inscription, the site has to be assessed by a professional body which will determine whether the site meets the criterion. The relevant advisory bodies are the International Council of Monuments and Sites (ICOMOS), the International Union for Conservation of Nature (IUCN) and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM). The advisory body will send a monitoring mission to the site and prepare a report explaining why it is recommending the site for inclusion on the list of World Heritage sites and what additional measures the state party should take to protect it. Finally, the nomination will be brought to a vote by the 21 members of the World Heritage Committee during the annual WHC session.

#### **Why Jericho?**

The site of Tel Jericho/Tel es-Sultan is a rich archaeological mound containing over 20 layers of human existence. It is one of the oldest cities in the world spanning from prehistoric times beginning with the Natufian period (12th millennium BCE) when it

was established as a sedentary settlement, through the first fortifications of the city during the pre-Pottery Neolithic period (10th millennium BCE). Tel es-Sultan became a sizable agricultural settlement in the 9th and 8th millennia. During the third to second millennium BCE, Jericho was a thriving Canaanite city surrounded by a wall which was destroyed in 1550 BCE. The site itself was inhabited until the late Byzantine period (7th century AD) and its surroundings continue to develop until the present day.

In the case of Ancient Jericho/Tel es-Sultan, the OUV was attributed to the layers of the Neolithic period and the Bronze Age. According to Criterion iii and iv outlined by the World Heritage Convention, Ancient Jericho/Tel es-Sultan testifies in an exceptional way to developments that took place across the Near East which facilitated the shifting of humanity to a new sedentary lifestyle and the related transition to new subsistence strategies as well as constituting an outstanding example of the unique architectural and technological innovations of these periods.

In December 2022, ICOMOS sent a mission to assess the site following which it recommended the site's inscription as a World Heritage Site according to criteria iii and iv.

#### **Why doesn't the inscription mention the biblical story of Jericho?**

The question in itself is problematic since it gives credence to the narrative advanced by those who conflate biblical stories with history. But because much of the campaign against inscribing the site as a Palestinian heritage site utilizes the biblical affiliation to claim the Palestinians have no right to inscribe the site, we think it is important to address it.

As mentioned, a cultural site can be considered for World Heritage status when, for example, it contains significant archaeological remains or is a place linked to substantial religious or cultural traditions of Outstanding Universal Value. Jericho of course appears in the biblical narrative and therefore constitutes a place of cultural memory in Judaism, Christianity and Islam. However cultural remains associated with the biblical period (late Bronze to early Persian period) are not present at Ancient Jericho/Tel es-Sultan itself in a significant enough way to warrant being considered of OUV. The site is also not a pilgrimage site and has not featured in any significant local or broader cultural or religious ritual.

Many sites are mentioned in the bible and are not entitled as a result to World Heritage status. Nevertheless, we wrote a letter to the state members of the World Heritage Committee suggesting that the sensitive issue of cultural affinity could be adequately addressed by adding criterion vi (“be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance”) thus recognizing its value as a place of outstanding cultural and religious significance to the three monotheistic religions. This was suggested late in the process and in any case criterion vi was not included in the inscription of Tel es-Sultan.

### **Why Palestine?**

UNESCO does not conflate cultural affiliation with sovereignty. Clearly (fortunately or not), there are no Neolithic or Bronze-age people still living amongst us. Contrary to a perception that has become prevalent amongst parts of the Israeli public, the state body which has submitted a site for inclusion on the World Heritage list does not need to prove its citizens are the direct descendants of the ancient cultures embodied in the site in order to qualify as the rightful custodians of the site. Ancient Jericho/Tel es-Sultan itself does not contain unique finds from the late Bronze Age, Iron Age, Persian (periods usually associated with the biblical stories) or Second Temple period, but even if it did, the Palestinians could be considered as the rightful custodian of the site. When Israel nominated Akko (Acre) as a World Heritage site for its unique Crusader, Muslim and Ottoman remains, no one protested that Israel is not the rightful custodian.

In 2011, UNESCO recognized Palestine as a state entity enabling the Palestinian Authority to submit sites for inclusion on the World Heritage list. The fact that Ancient Jericho/Tel es-Sultan is situated within Area A and under full control of the Palestinian Authority According to the 1995 Interim Agreement between Israel and the Palestinian Authority (“Oslo II Accords”), makes it unquestionably a "Palestinian heritage site". Tel es-Sultan is the fourth site to be inscribed for the State of Palestine and the first to be inscribed in a usual (not an emergency) procedure.

### **Final Remarks**

For the past twenty-five years, the Israeli settlement movement has successfully advanced the idea that identification with historical layers confers rights of ownership. In fact, the remains of the past have become one of the most effective tools to galvanize support for settlements in East Jerusalem and the West Bank. Few realize that using heritage to claim entitlement and exclusive sovereignty over a site has been a deliberate strategy which now informs government policy regarding cultural heritage

in the territories that Israel occupied in 1967.

Following the World Heritage Committee's inscription of Ancient Jericho/Tel es-Sultan, Israel's Foreign Ministry said "the step was another sign of the Palestinians' cynical use of UNESCO and their politicization of it. Israel will work alongside its many friends in the organization in order to change all of [these] distorted decisions."

Clearly, the idea that a government should be a custodian of a site for the benefit of all of humanity is foreign to those who think of heritage as a resource for proving precedence or ownership rights. In calling on UNESCO to refrain from inscribing Ancient Jericho/Tel es-Sultan as a World Heritage Site in Palestine, Israel is putting narrow identity politics above the value of preserving a heritage site for the benefit of humankind. Instead of applauding a move that is designed to give a site an extra layer of protection for the sake of future generations, the government's position reflects a view of heritage which is partisan and exclusive.

Embedded in the soil of Israel and Palestine are multiple layers of cultural material representing millennia of human activity from prehistoric times to the present day. Ancient Jericho/Tel es-Sultan is a unique example of the evolution of human culture in this region and as such is an asset for all of humanity. For this reason, and particularly in this conflictual climate, the World Heritage Committee's decision comes as an inspiring reminder that the past cultures embedded in this land should not be claimed as exclusive to one side in the conflict but belong to both peoples and indeed to humanity as a whole.