



الحملة الأهلية للحفاظ على
مقبرة مأمّن الله المقدسية
Campaign to Preserve
Mamilla Jerusalem Cemetery

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Israel Rebuffs United Nations Inquiries on Desecration of Ancient Jerusalem Cemetery

Freedom of Religion Rapporteur Appeals to Israel to Respect Religious and Cultural Rights at the Historic Mamilla Cemetery

February 17, 2011, New York, Geneva – Over one year after a group of 60 individuals petitioned United Nations officials to stop the desecration and destruction of an ancient Muslim cemetery in Jerusalem that houses the remains of their ancestors, the Special Rapporteur on Freedom of Religion or Belief is the first official to report on action taken in response to the Petition. Part of the cemetery is being destroyed in order for the Simon Wiesenthal Center to build a Museum of Tolerance on the site. In addressing his concerns to the government of Israel in the context of related violations of freedom of religion and belief in the occupied Palestinian territory, including Jerusalem, the Special Rapporteur requested clarifications from Israel in March 2010 about construction atop Mamilla Cemetery. [The Addendum to the Special Rapporteur's report](#) references Petitioners' concerns about Mamilla cemetery, and reports that he requested information on "what measures the Government of Israel has already implemented or envisages implementing in order to ensure that excavations and construction works on Ma'man Allah (Mamilla) cemetery in Jerusalem respect and protect cultural heritage and cultural property as well as freedom of religion or belief."

The communication process with UN Special Rapporteurs is confidential, and only the results of communications with states are published in the Rapporteurs' reports, such as the report published this week by the Special Rapporteur on Freedom of Religion and Belief.

Despite the serious assertions of human rights violations, the report states that the Special Rapporteur "regrets that he has so far not received a reply from the Government of Israel." The Special Rapporteur then appeals to Israel to respect religious and cultural rights related to freedom of religion and belief, and emphasizes the responsibility of "all States to exert their utmost efforts to ensure that religious sites are fully respected and protected in conformity with international standards."

"We are encouraged by the fact that UN officials have taken our Petition seriously. They have set in motion the process of demanding accountability for human rights violations by requesting that Israel respond to our Petition," said CCR Senior Attorney **Maria LaHood**. *"It is distressing, however, that Israel and the Simon Wiesenthal Center continue to ignore international law and the principles of human*

rights and tolerance by constructing a Museum which is sure to be a symbol of Israeli intolerance and disrespect for the religious rights and cultural heritage of others. Construction must be stopped and Mamilla Cemetery must be protected.”

The Petition of February 10, 2010 was submitted by the Center for Constitutional Rights and the Campaign to Preserve Mamilla Jerusalem Cemetery on behalf of the petitioners to the United Nations High Commissioner for Human Rights, the UN Special Rapporteur on Freedom of Religion and Belief, the Special Rapporteur on Racial Discrimination, the Independent Expert on Cultural Rights, and the UN Educational, Scientific, and Cultural Organization (UNESCO).

In the process of infrastructure and construction works to build a “Museum of Tolerance” atop a part of the ancient Muslim cemetery, the Simon Wiesenthal Center (SWC) in Los Angeles and Israeli authorities have overseen the disinterment of thousands of human remains, graves, and other archaeological artifacts. The state and location of these remains is unknown to the Petitioners, who are deeply distressed by the desecration of their ancestral remains and affronted by SWC’s insistence on continuing construction of the Museum and Israel’s plans to build on other portions of the cemetery. The Jerusalem Municipality has also repeatedly bulldozed hundreds of grave markers that were recently renovated by the *Shari’a* court-appointed caretakers of the cemetery, despite having previously granted permission for such renovations.

“The families whose ancestors’ bones have been displaced from their eternal resting place in Mamilla Cemetery are grateful that the United Nations has recognized their legitimate rights in this special case by requesting that Israeli authorities provide information on the ultimate disposal of the remains of our forefathers,” said **Rashid Khalidi**, Edward Said Professor of Arab Studies Department of History at Columbia University. *“But this does not address our core concern regarding the desecration of the cemetery site by the Simon Wiesenthal Center’s ‘Museum of Tolerance’ project, nor the threat to other graves and antiquities on the cemetery by impending construction by Israeli authorities. Justice cannot be piecemeal or simply palliative in such a case of flagrant violation of our basic human rights.”*

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. Follow @theCCR.

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.