At the UN, the battle for Jerusalem is eternally waged – analysis

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The guns of the Six Day War fell silent 52 years ago. The scars of a once divided city have been paved over, literally, with new roads and modern apartment buildings.

Most Israelis do not know where the borders stood from 1948 to 1967, when the eastern part of Jerusalem, including the Old City, was under Jordanian control.

But at the United Nations, the diplomatic battle for a united Jerusalem is eternally waged on almost a monthly basis, whether it is in UN forums in Geneva, in Paris or at the UN headquarters in New York.

This July, UNESCO’s World Heritage Committee is set to reaffirm, as it does every year, that the historical cradle of Judaism, where its most holy sites of the Temple Mount and the Western Wall are situated, is not part of sovereign Israel. Neither, for that matter according to the UN, is the Old City or any parts of Jerusalem that Israel wrested from Jordan in the 1967 Six Day War.

In March, the UN Human Rights Council made a similar statement. In December, the UN General Assembly passed no less than five resolutions decrying Israeli sovereignty over the pre-1967 lines in east Jerusalem.

The Hebrew Bible, one of the world’s most read books, might speak of the deep Jewish ties to Jerusalem and the Temple Mount. The Knesset might have annexed east Jerusalem in 1980. Israeli flags might fly overhead and Israelis might annually celebrate the unification of the city on Jerusalem Day. But these are meaningless markers for the international community, which has yet to recognize Israeli sovereignty over the city.

Most of the 193 UN member states stand in solidarity with the Palestinians. They hold that east Jerusalem is “occupied Palestine” and the capital of a future Palestinian state. This includes the Old City and the Temple Mount, Judaism’s most holy religious sites. The Temple Mount with its al-Aqsa Mosque compound on what is known to Islam as the al-Haram al-Sharif, is Islam’s third holiest site.

The Six Day War had been over less than a month before the General Assembly passed a resolution condemning Israeli actions in east Jerusalem and its attempts to incorporate it into sovereign Israel.

On the registry of World Heritage sites, UNESCO singularly lists Jerusalem as a city without a sovereign authority, so that is appears neither on the Israeli’s or the Palestinian’s list of sites. It was registered as a World Heritage site by Jordan in 1981 to protest Israel’s annexation of the area the previous year. Jordan itself had annexed the eastern part of the city in 1951, but after losing that territory to Israel in 1967, it gave up all claims to it in 1988. The Temple Mount/al-Haram al-Sharif itself is under Israeli sovereignty, but the Jerusalem Islamic Wakf controls the site.

The Hashemite Kingdom of Jordan, however, is understood to have a custodial relationship with al-Haram al-Sharif and Muslim holy shrines in Jerusalem, an understanding that is supported by the 1994 peace treaty between Israel and Jordan.

IN 1949, the UN admitted Israel as a member state without defining its territorial boundaries. Therefore, references to the sovereignty status of Jerusalem from that period often go back to UN General Assembly resolution 181 from 1947, which partitioned what had been mandate Palestine into territories for both a Jewish and Arab state. Resolution 181, however, separated Jerusalem out into its own entity, noting that: “The City of Jerusalem shall be established as a corpus separatum under a special international regime and shall be administered by the United Nations.”

In 1949, the General Assembly passed a resolution in that spirit, which called for an international regime in Jerusalem. A second resolution that year put aside money to prepare for such a change in status.

Over the last 52 years, UN Security Council resolutions on Jerusalem, including resolution 2334 in 2016, have held that east Jerusalem is occupied Palestinian territory, but has not subsequently accepted that western Jerusalem is under Israeli sovereignty.
Several UN resolutions use vague language that could appear to disavow Israeli sovereignty in west Jerusalem, speaking more globally of the holy city of Jerusalem.

But the question of status is also a question of history. Nowhere have the history and religious and cultural ties to Jerusalem been played out more than in the United Nations Educational Scientific and Cultural Organization, where the Palestinian Authority and Arab states attempted to claim the Temple Mount solely as a Muslim religious site. Twice a year, UNESCO’s Executive Committee would pass resolutions disavowing Israeli sovereignty over Jerusalem and in some cases over the Temple Mount and the Western Wall. A compromise reached within the last two years has lowered the heat on that issue, as the executive board began passing neutral texts, moving statements about Jerusalem’s status to an annex.

Just as the UNESCO battle died down, attention swung to the General Assembly, where texts that similarly referenced the Temple Mount solely as al-Haram al-Sharif have been passed since 2015.

The US relocation of its embassy from Tel Aviv to Jerusalem last year might stand like a beacon of light during a diplomatic storm over Jerusalem.

Fifty-two years ago on Sunday, Israeli paratroopers marveled that the Western Wall was in Jewish hands. But at the UN, there are very few voting hands willing to agree that Jerusalem should remain in those hands.