JERUSALEM CRISIS APPROACHES RESOLUTION

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By Armenag Yerevanyan, July 2024

It was exactly three years ago when the Jerusalem Armenian Patriarchate signed an illegal land transaction with the furtive Xana Gardens Ltd., leasing 11,500 square meters of the historical Armenian Quarter which covers one-sixth of the Old City of Jerusalem. The Patriarchate signatories were Patriarch Nourhan, Defrocked Fr. Baret Yeretsian, and Archbishop Sevan Gharibian. As Keghart editorials, columns, and news articles have reported in the past three years, the three clergymen had no authority to sign the illegal transaction. No matter the duration of the real estate contract, it has to be approved by the Synod of the Sts. James' Brotherhood. And yet, the Synod was left in the dark about the deal the three clergymen were concocting. As well, the real estate contract is illegal because, according to the Sts. James Brotherhood's by-laws, no Church property can be leased for more than 49 years. The lease the Patriarch and his two cohorts signed is for 98 years. Since then Xana Gardens has claimed the lease its staff signed covered 11,500 square meters and included, in addition to Goveroun Bardez ("Cows Garden.") several houses, the Patriarch's garden, the seminary and part of the Patriarchate building.

Correctly recognizing that the above illegal real estate transaction threatened not only Armenian real estate but also Jerusalem's Armenian community, Armenians came together to stop the implementation of the illegal deal. In the three years since the signing of the illegal and underhanded transaction, the Armenian community has faced enormous challenges. These included standing in front of bulldozers, facing violent thugs, resisting armed settlers committed to emptying Jerusalem's non-Jewish areas, and confronting a biased police.

So, as the turmoil of Armenian Jerusalem enters its fourth year, the community (it has adopted the battle cry "SavetheArQ " – SavetheArmenianQuarter) continues its fight to protect the Armenian Quarter. The movement has initiated a community lawsuit to stop Xana Gardens from grabbing Armenian lands. The lawsuit is based on two crucial arguments: the discovery of numerous WAQF documents, maps, and other historical records. Waqf documents are important testimony in this struggle. Back in the 16th century Patriarch Andreas and devoted-patriotic people purchased the land parcel by parcel and registered it in the Sharia Court of Jerusalem (Waqf) as endowments for the Armenian Christian Community of Jerusalem. According to Ottoman law Israeli law W*aqf* land (endowments) can't be sold or leased and there are specific laws which say endowment lands should be respected. In this instance the Patriarchate and the Patriarch himself violated the *waqf* laws in all possible ways. When the Patriarchate signed the 98-year lease it ignored the law and leased it. The second pillar of the Armenian community's case is that the Patriarch, Yeretsian and Archbishop Gharibian violated the Patriarchate's constitution when they signed the illegal real estate deal. This second argument is corroborated by the statement of the 12 Sts. James Brotherhood clergymen (of a total 17) who testified to the illegality of the real estate deal signed by the Patriarch and his two acolytes.

The community lawsuit aims to nullify the illegal lease for the transaction which undermines the integrity and sovereignty of the Armenian community and the Armenian Patriarchate. SaveArQ movement maintains legal action is essential to uphold the community's rights and preserve the heritage of the Armenian Quarter. ArQ has said the community is united in its commitment to safeguard the 1,600-year heritage and Armenian presence in the Holy Land. Outside Armenia-Artsakh-Western Armenia, the Armenian Quarter of Jerusalem is the most important Armenian land anywhere. The Jerusalem community is also the oldest Armenian diaspora.

So far, the Armenian legal case has been funded by such patriotic Armenians as Jack Yuredjian of California and other Jerusalemite Armenians. It is also backed by Richard Manougian, son of Alex and Mary Manougian who sponsored the construction of the Theological Seminary which is in danger due to the deal. To proceed with the preparation for the upcoming court case, ArQ needs infusion of funds. With that in mind, ArQ invites Armenians everywhere to donate to cover its legal expenses.

It is important to mention that the international legal team of the Armenian Community of Jerusalem works pro bono. The lawyers are Karnig Kerkonian, Garo Ghazarian, Arman Tatoyan, Elizabeth Al-Dajani, Ani Nazaryan, local attorney Daniel Sediemann and Saro Ke. The movement pays for the local legal team of two attorneys.

The movement works with all community members and donors. The money, which is transferred to US funds in the US, is tax-deductible.

For donations click on Legal Defense Fund for Jerusalem Armenians


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SAVE ArQ

There are no comments yet.