

16/12/02

B5 - 644/02

## MOTION FOR A RESOLUTION

with request for inclusion in the debate on topical and urgent subjects of major importance pursuant to Rule 50 of the Rules of Procedure

MIRANDA DA SILVA

by MORGANTINI, BOUDJENAH, SCHMID, SEPPANEN, COSSUTTA, ~~FIGUEIREDO~~,  
on behalf of the GUE/NGL Group

### **on the destruction of the cultural heritage of Hebron**

#### The European Parliament,

- recalling its previous resolutions on the Middle East conflict,
- recalling the resolutions 242 and 338 of the UN Security Council, and the resolution 194 of the UN General Assembly;

A) rappelant l'illegalité de l'occupation militaire israélienne des territoires palestiniens;

B) whereas one of the consequences of the Israeli-Palestine conflict is the destruction of part of the Palestinian historical heritage, in particular Nablus, Bethlehem and Hebron;

C) whereas on November 29th 2002 the Israeli Army issued the military order n. 2/61/T which calls for the demolition of the homes of 110 families in Hebron's Old City in order to create a road that will directly connect the Israeli settlement of Qiriat Arba with the Ibrahimi Mosque;

D) whereas many of the building threatened by the plan date from 16th to 19th century and are intrinsic of the historic built environment surrounding the Mosque;

E) whereas due to the presence in the centre of Hebron of a small Israeli settlement, composed by approximately 400 persons and protected by many more soldiers, most of the city of Hebron has been under frequent 24 hours curfew for the past two years and already faced extensive destruction;

F) whereas Muslims have no access anymore to the Ibraimi Mosque, one of the holiest place for Islam;

G) rappelant que cette situation est liée à la politique de colonisation des territoires palestiniens mise en oeuvre par les différents gouvernements israéliens et que le Parlement Européen et le Conseil Européen de Copenhague ont condamné;

H) whereas the fact that Israel is target of Palestinian indiscriminate terrorist attacks to its population cannot be accepted as a reason to destroy the Palestinian heritage, and whereas the demolition plan in Hebron is not related to any anti-terrorist measure;

I) rappelant les conventions internationales qui interdisent les punitions collectives à l'encontre des populations civiles qui ne peuvent pas être considérées comme les responsables des actes commis par des individus.

L) soulignant que le gouvernement israélien a refusé au mouvement pacifiste de renommée internationale Peace Now le droit de manifester contre la démolition des

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maisons à Hebron, alors qu'en même temps il autorise souvent des manifestations violentes des colons hébreux de Qiryat Arba

M) soulignant aussi la gravité de la destruction du patrimoine culturel palestinien mise en oeuvre par les forces d'occupation israéliennes dans d'autres villes palestiniennes, notamment à Betlehem, où l'Église de la Nativité et d'autres importants monuments ont été endommagés par les activités militaires israéliennes;

- 1) exige la fin de l'occupation militaire israélienne des territoires palestiniens;
- 2) condamne vivement la décision de l'armée israélienne de procéder à la demolition des maisons du quartier Jaber à Hebron et demande aux autorités israéliennes d'annuler cette décision, ainsi que de stopper toute autre acte de destruction du patrimoine culturel palestinien;
- 3) condamne la politique de colonisation des territoires palestiniens, et demande aux autorités israéliennes de mettre fin à l'exstension des colonies de peuplement, qui représente un obstacle dans le processus de paix;
- 4) Considers the demolition of historical part of Palestine an unacceptable and further form of collective punishment inflicted to the Palestinian people;
- 5) Considers that the destruction of cultural heritage a further obstacle in resuming a climate of minimum mutual trust and dialogue between the parties in order to reach a peaceful settlement of the conflict;
- 6) demande à la Commission de s'engager dans la conservation du quartier Jaber de Hebron;
- 7) Recalls that the historical heritage of Palestine is an essential part of the Euro-Mediterranean identity;
- 8) Calls the Israeli authorities to grant access for all believers to the Ibrahimi Mosque in Hebron and to the Nativity Church in Bethlehem;
- 9) Instructs its President to forward this resolution to the Commission, the Council, the Government and Parliament of Israel, the Palestine National Authority and the Palestinian Legislative Council, the Hebron City Council and the Hebron Rehabilitation Committee.

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- D. Whereas the HKSAR Government must give sufficient assurances that proposed Article 23 offences will be within the exclusive jurisdiction of the Hong Kong Courts,
- E. Notes the widespread concern expressed by political and religious leaders, Hong Kong Legco members, human rights groups and Hong Kong lawyers regarding the proposed legislation,
1. Expresses its concern that the proposed legislation could undermine the "one country, two systems" policy particularly if NPC interpretation is sought for Article 23 offences,
  2. Seeks assurances from the HKSAR Government that the new legislation will not be subject to Article 19 of the Basic Law and that Article 23 offences will remain within the exclusive jurisdiction of Hong Kong Courts,
  3. Is concerned that the consultation paper proposes the extension of police powers to enter and search a person's home without a warrant from the Courts,
  4. Seek assurance that Article 23 proposals will not be used to silence opposition, restrict freedom of speech, of the press and of publication, freedom of association, of assembly, of procession and of demonstration, the right and freedom to form and join trade union, and to strike, the right to engage in academic research, literary and artistic creation and other cultural activities in accordance with Articles 27 and 34 of the Basic Law,
  5. Believes that all proposed offences should be tightly defined and should specifically exclude the possibility of peaceful protests falling into the definition of crimes covered by Article 23,
  6. Repeats the call in its previous resolution that the HKSAR should not introduce laws under Article 23, which violate the provisions of the International Covenant on Civil and Political Rights,
  7. Calls on the HKSAR administration at the end of the current consultation period to publish a draft bill setting out clearly detailed provisions to ensure that Hong Kong citizens are fully aware of the implications of the new legislation prior to a second round of consultation,
  8. Instructs its President to forward this resolution to the Council, the Commission and the HKSAR Government,