

WRITTEN QUESTION E-1081/05

by Marco Pannella (ALDE) and Emma Bonino (ALDE)
to the Commission

Subject: Reintroduction of the death penalty by Mahmoud Abbas, President of the Palestinian National Authority

The Jerusalem Post reported on 16 February 2005 that the President of the Palestinian National Authority, Mahmoud Abbas, had authorised the execution of three Palestinians, whose identity was not made known, found guilty of helping Israel to carry out 'targeted assassinations' of Palestinian activists in the Gaza Strip, as reported by Sakher Bsaïso, high representative of Fatah and the Authority's governor of the northern Gaza Strip.

According to the newspaper, since he was elected Mahmoud Abbas has approved dozens of death sentences, some of them against Palestinians found guilty of common murder. On 25 February 2005 the Mufti of Jerusalem, Sheikh Ikrima Sabri, confirmed to Reuters that 16 people had been condemned to death after Mahmoud Abbas had been called upon to decide their fate.

On 3 March 2005 the Mufti confirmed to the BBC that that he had approved the death sentences on five prisoners, who might be executed before the end of March because to postpone the execution would 'encourage the phenomenon of private vendettas' among the Palestinian community.

On the basis of the PNA's Criminal Procedures Law, after approval of the sentence by the Mufti and ratification by the President of the Authority, there is no obstacle to execution, even though PNA officials have specified that no final decision has yet been taken on reintroduction of the death penalty and that no executions are imminent.

Since the PNA was set up in 1994, six Palestinians have been executed, two of them in 2001, for 'collaborating' with Israel. The last executions in 2002 involved three people accused of murder, but the PNA, following pressure from the EU, inter alia, suspended use of the death penalty.

Can the Commission say:

- whether it is aware of the facts described, and what it thinks of the PNA President's decision to reintroduce the death penalty, which had been suspended by Arafat, and what steps it will take to ensure suspension of the executions already authorised;
- whether it does not consider that to submit to a religious authority a decision coming under civil power constitutes a violation of the principles of a constitutional state;
- whether it intends to make European aid to the PNA subject to respect for the fundamental human rights of Palestinians?