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4. Urges the Federal Government of Nigeria and the state governments to remove all provisions in both federal and state legislation which provide for the death penalty for people who were under the age of 18 at the time of the alleged crime;
5. Calls on the Federal Government of Nigeria and the state governments to ensure that in capital cases the most rigorous internationally recognised and constitutional standards for fair trial are respected, especially in the areas of inadequate legal representation of poorer prisoners, of confessions or evidence obtained through violence, coercion or torture, of inordinately long trial and appeal periods, and of sentencing of minors;
6. Calls on the Federal Government of Nigeria to ratify the 1989 Second Optional Protocol to the International Covenant on Civil and Political Rights and the 2002 Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
7. Urges the Nigerian state governments to remove all provisions for mandatory death sentences;
8. Calls on the Federal Government of Nigeria and the state governments to implement the recommendations of the National Study Group on the Death Penalty (2004) and the Presidential Commission on the Reform of the Administration of Justice (2007), and in particular to establish a moratorium on executions and commute all death sentences;
9. Calls on the Council, the Commission and the Member States to provide technical support to the Nigerian authorities with a view to reviewing the legislation which provides for the death penalty, abolishing the death penalty, and improving the investigation procedures of the Nigerian police;
10. Calls for support for the activities of the Working Group on the Death Penalty of the African Commission on Human and Peoples' Rights in drafting a protocol to the African Charter banning the death penalty and making its reinstatement impossible;
11. Instructs its President to forward this resolution to the Council, the Commission, the parliaments and the governments of the Member States, The Economic Community Of West African States, the Federal Government and Parliament of Nigeria, the African Union and the Pan-African Parliament.

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## **The case of the al-Kurd family**

P6\_TA(2008)0571

### **European Parliament resolution of 20 November 2008 on the case of the al-Kurd family**

(2010/C 16 E/18)

*The European Parliament,*

- having regard to its previous resolutions on the Middle East,
- having regard to the report drawn up by its ad hoc delegation to Israel and the Palestinian Territories (30 May to 2 June 2008) and its conclusions,

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- having regard to the Fourth Geneva Convention,
  - having regard to the relevant United Nations (UN) resolutions,
  - having regard to the EU-Israel Association Agreement, and in particular Article 2 thereof,
  - having regard to the declaration issued by the Presidency on behalf of the European Union on 10 November 2008 on the destruction of houses in East Jerusalem,
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas, on the night of Sunday, 9 November 2008, members of the Israeli police and armed forces evicted the al-Kurd family from their home in the Sheikh Jarrah neighbourhood of East Jerusalem where they had lived for more than 50 years; whereas, immediately afterwards, they allowed settlers to enter the family's house and then sealed off the area,
- B. whereas this eviction was carried out on the basis of an order issued by the Israeli Supreme Court on 16 July 2008 following long and controversial legal proceedings on disputed ownership before Israeli courts and authorities,
- C. whereas the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has declared that it will continue to offer the family assistance,
- D. whereas the eviction took place despite international objections; whereas the US has raised the issue with the Israeli authorities; whereas this decision may pave the way for the takeover of 26 more houses in the Sheikh Jarrah neighbourhood of East Jerusalem, with 26 other families targeted for eviction; whereas this matter has political ramifications for the future status of East Jerusalem,
- E. drawing attention to the relevant UN Security Council resolutions and the fact that the international community has not recognised Israeli sovereignty over East Jerusalem,
- F. whereas a European Parliament delegation visited the Sheikh Jarrah neighbourhood on 3 November 2008 and had the opportunity to meet the al-Kurd family,
1. Expresses its deep concern at the eviction of the al-Kurd family, the recent destruction of the houses of Palestinian families by the Israeli authorities in several areas of East Jerusalem and the possible serious consequences of these measures;
  2. Points out that these operations, which seriously affect the lives of the residents of these areas, contravene international law, and calls on the Israeli authorities to put an end to them as soon as possible;
  3. Points out, whilst acknowledging the independence of the Israeli judiciary within the internationally recognised borders of the State of Israel, that under international law East Jerusalem is not subject to the jurisdiction of Israeli courts;

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4. Calls on the Council, the Commission and the international community, including the Quartet, to make all possible efforts to protect Palestinian residents in the Sheikh Jarrah neighbourhood and other areas of East Jerusalem and calls on the Quartet to play a more active role in this direction;
  5. Reiterates its call to the Israeli authorities immediately to halt any expansion of settlements and the building of the security fence beyond Israel's 1967 borders, actions which are contrary to international law and are undermining peace efforts;
  6. Affirms that such actions can only damage the chances of reaching a peace agreement between Palestinians and Israelis; urges Israel to refrain from all unilateral measures that may pre-empt the result of the final status negotiations, particularly in Jerusalem;
  7. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for the Common Foreign and Security Policy, the governments and parliaments of the Member States, the Quartet Special Envoy for the Middle East, the Israeli Government, the Knesset, the President of the Palestinian Authority and the Palestinian Legislative Council.
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