

To: Councillor David King, Leader of Colchester City Council

Cc Pamela Donnelly, CEO

FORMAL OBJECTION TO DECISION OF COUNCIL'S POLITICAL LEADERSHIP TO FLY THE PALESTINIAN FLAG ON COLCHESTER TOWN HALL

Dear Pamela and David

I wish to formally object in the strongest possible terms that the leadership of Colchester City Council has apparently authorised the flying of the Palestine flag on the town hall.

This is a flag which was waved by large numbers of cheering demonstrators in London and other cities immediately after the 7 October 2023 Hamas' attack on Israel which murdered, raped and abducted more than 1,000 Israeli civilians including large numbers of women and children. See

<https://www.bbc.co.uk/news/uk-67110119>

Thankfully Colchester has to date avoided any such sectarian demonstrations. However, I am appalled that Colchester City Council is now flying this flag which will be seen by many people as showing partisan, sectarian support for one side in the current conflict between Israel and Hamas who have governed Gaza since 2007.

This is not only deeply contentious and likely to seriously damage community relations and community cohesion – with no obvious benefit to Colchester, it is also a clear breach of planning law. This sets out a restricted list of flags which may be flown without prior “express consent from the local planning authority”. Whilst these do include country flags, “Palestine” is NOT a country which is recognised by the UK. Please see

<https://www.gov.uk/government/publications/flying-flags-a-plain-english-guide/flying-flags-a-plain-english-guide>

I would also draw your attention to the fact that insofar as “Palestine” as a legal entity can legitimately be referred to, this is to the West Bank and Gaza which the Oslo Accords granted a degree of autonomy to. Since 2007 Gaza – the current situation in which appears to be the primary intent of those wishing to fly in the Palestinian flag on the town hall – has been governed by Hamas, which has been proscribed by the UK Home Office as a terrorist organisation – see:

<https://www.gov.uk/government/news/islamist-terrorist-group-hamas-banned-in-the-uk>

For your convenience I have pasted at the end of the letter the full description of Hamas' activities in the Home Office list of proscribed terrorist organisations and the fact that not only the military but also the political wings of Hamas are proscribed. It makes clear why the Council cannot fly “the Palestine flag” if this could in any way be interpreted by anyone as inferring support for Hamas. I should also point out that s.5 of the Terrorism Act 2000 makes undertaking any act which anyone could reasonably infer indicates support for a proscribed terrorist organisation, itself an offence.

I should hardly need to add that the council's code of conduct requires all councillors “to act lawfully”.

I would therefore urge the council to immediately rescind any instruction which has been issued to fly this flag. This will undoubtedly itself cause upset within some sections of the community – but the council should not have got itself into this situation in the first place. The decision to fly this flag was a monumental failure of judgement by the political leadership of the council which can only risk inflaming community tensions in Colchester while bringing no positive benefits to the residents of Colchester.

Yours sincerely

Dr Martin Parsons
Colchester City Councillor for Mersea and Pyefleet

EXTRACT FROM THE CURRENT HOME OFFICE LIST OF PROSCRIBED TERRORIST ORGANISATIONS

Harakat al-Muqawamah al-Islamiyah (Hamas) – Proscription extended November 2021

Hamas is a militant Islamist movement that was established in 1987, following the first Palestinian intifada. Its ideology is related to that of the Muslim Brotherhood combined with Palestinian nationalism. Its main aims are to liberate Palestine from Israeli occupation, the establishment of an Islamic state under Sharia law and the destruction of Israel (although Hamas no longer demands the destruction of Israel in its Covenant). The group operates in Israel and the Occupied Palestinian Territories. Hamas formally established Hamas IDQ in 1992. Hamas IDQ was proscribed by the UK in March 2001. At the time it was HM government's assessment that there was a sufficient distinction between the so called political and military wings of Hamas, such that they should be treated as different organisations, and that only the military wing was concerned in terrorism. The government now assess that the approach of distinguishing between the various parts of Hamas is artificial. Hamas is a complex but single terrorist organisation.

Hamas commits and participates in terrorism. Hamas has used indiscriminate rocket or mortar attacks, and raids against Israeli targets. During the May 2021 conflict, over 4,000 rockets were fired indiscriminately into Israel. Civilians, including 2 Israeli children, were killed as a result. Palestinian militant groups, including Hamas, frequently use incendiary balloons to launch attacks from Gaza into southern Israel. There was a spate of incendiary balloon attacks from Gaza during June and July 2021, causing fires in communities in southern Israel that resulted in serious damage to property.

Hamas also prepares for acts of terrorism. One incident of preparatory activity is that Hamas recently launched summer camps in Gaza which focus on training groups, including minors, to fight. This is evidence of Hamas being responsible for running terrorist training camps in the region. In a press statement, Hamas described the aim of these camps as to “ignite the embers of Jihad in the liberation generation, cultivate Islamic values and prepare the expected victory army to liberate Palestine”.

<https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2/proscribed-terrorist-groups-or-organisations-accessible-version>