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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Pasqualina Naipoletano, Ana Maria Gomes, Józef Pinior, Marianne Mikko

on behalf of the PSE Group

on the Death Penalty: notably the case of Troy Davis</Titre>

European Parliament resolution on the Death Penalty: notably the case of Troy Davis

The European Parliament,

- having regard to its previous resolutions on the death penalty,
 - having regard to the global moratorium on executions endorsed by the United Nations 62nd General Assembly on 18 December 2007,
 - having regard to its earlier resolutions to protest against the death penalty in the US and elsewhere, in particular its resolutions of 8 October 1998, 18 November 1999, 13 April 2000 and 6 July 2000,
 - having regard to its resolution of 5 June 2008 on the EU-US Summit,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas the death penalty has now been abolished in law or in practice by 135 countries, most recently Uzbekistan in January 2008,
- B. whereas last year at least 1252 people were executed and at least 3347 people were sentenced to death in 51 countries worldwide,
- C. whereas in 2007, 88 per cent of all known executions took place in five countries: China, Iran, Saudi Arabia, Pakistan and the USA,
- D. whereas more than 120 people have been released from death row in the USA since 1975 on the grounds of innocence,
- E. whereas Troy Davis has been on death row in the USA for more than 16 years for the murder of a police officer which he maintains he did not commit,
- F. whereas Davis' conviction was not based on any physical evidence, and the murder weapon was never found,
- G. whereas the power of clemency in US capital cases exists as a failsafe against irreversible error that the courts have been unable or unwilling to remedy,
1. Reiterates its call for the abolition of capital punishment and the immediate imposition of a moratorium in countries where capital punishment still exists;
2. Remains deeply concerned about the continued existence of the death penalty in many US states;

3. Calls in particular on the US Government and all US states to abolish the death penalty; regrets the recent ruling by the US Supreme Court to uphold lethal injection, opening the way to resumed executions;
4. Commends New Jersey as the first US state to abolish the capital punishment by law since the death penalty was reintroduced in the US in 1972 citing the inescapable risk of executing those wrongfully convicted;
5. Notes that in the case of Troy Davis many of the witnesses whose testimonies were used against the defendant at his trial have since recanted their trial testimony, and that new evidence has allegedly come to light; recalling that witnesses who have retracted their testimony have since alleged police coercion;
6. Is concerned that appeals to the courts to consider this evidence have been repeatedly denied for procedural reasons;
7. Demands an immediate cessation of state executions worldwide; therefore calls on the Georgia State Board of Pardons and Paroles to reconsider the death sentence of Troy Davis
8. Instructs its President to forward this resolution to the Council, the Commission, President Bush, Vice-President Cheney and Governor Perdue, the Inter-American Commission on Human Rights, the Georgia Board of Pardons and Paroles, and the President of the UN Commission on Human Rights.