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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 Marco Pannella, Marco Cappato, Marios Matsakis, Frédérique Ries

on behalf of the ALDE Group

on death penalty, notably the case of Troy Davis

European Parliament resolution on death penalty, notably the case of Troy Davis

The European Parliament,

- having regard to its previous resolutions on the abolition of the death penalty and the need for an immediate moratorium on executions in those countries where the death penalty still applies,
 - having regard to the UN General Assembly resolution of 16 December 2007 on the use of the death penalty in the world,
 - having regard to the updated version of the EU Guidelines on the death penalty of 5 June 2008,
 - having regard to Rule 115(5) of its Rules of Procedure,
 - A. having regard to the case of Troy Davis, sentenced to death by the Georgian State Court in 1991 for the murder of a policeman and scheduled to be executed at the end of July 2008,
 - B. whereas, according to Mr Davis' lawyers, there is abundant proof of his innocence, no material proof of his culpability has never been found and 7 of his witnesses against have retracted their testimony,
 - C. whereas the Georgian Supreme Court, on the 4 August 2007, had agreed to reconsider the new elements casting shadows on Mr Davis' culpability,
 - D. considering the decision by the Georgian Supreme Court of 17 March 2008 to refuse a new trial for Mr Troy Davis, with the dissenting opinion by its President,
1. Calls upon those countries where the death penalty is carried out to take the necessary steps towards abolition;
 2. Asks that in view of abundant evidence which might reverse his sentence, the relevant courts should offer Troy Davis a retrial and that the death sentence should therefore be suspended;
 3. Appeals urgently to the Governor of the State of Georgia and to the Georgia State Board of Pardons and Paroles to suspend the death sentence;
 4. Calls on the delegation of the European Commission in the United States to raise the issue at its next meeting with the US authorities;
 5. Instructs its President to forward this resolution to the Council and the Commission, to the Government of the United States and the Governor of the State of Georgia.