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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 122 of the Rules of Procedure

on death penalty declared legal in the Republic of Korea

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on behalf of the PPE Group

European Parliament resolution on death penalty declared legal in the Republic of Korea

The European Parliament,

- having regard to its resolution of 29 January 2007 on the initiative in favour of a universal moratorium on death penalty,

- having regard to the EU guidelines on the death penalty,

A. regretting that capital punishment has not been abolished at a worldwide level,

B whereas the Republic of Korea has 59 prisoners on death row but that since 1998 no death sentences have been carried out,

C. whereas the Republic of Korea can be considered to be abolitionist in practice and has a good international reputation as a State under the rule of law,

D. whereas the Constitutional Court's decision of 25 February 2010 to uphold the death penalty followed the petition of a 72 year old Korean man convicted of killing 4 tourists in 2007 who claimed that the death penalty infringed his constitutional guarantee of dignity,

1. Reaffirms its opposition of principle to the death penalty and calls on the authorities of the Republic of Korea to take action in order to abolish it;

2. Welcomes the fact that the Republic of Korea has not carried out any capital punishment since 1998;

3. Welcomes the fact that the government of the Republic of Korea confirmed in September 2009 that it would not execute people sentenced to death in the past or in the future;

4. Takes note that the Constitutional Court ruled by 5 votes to 4 to uphold capital punishment and has hopes that this decision will be a step towards the complete abolition of death penalty in the Republic of Korea;

5. Instructs its President to forward this resolution to the Council, Commission, the National Assembly and Government of the Republic of Korea.