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B6-0595/2005 }
B6-0598/2005 }
B6-0601/2005 }
B6-0604/2005 }
B6-0605/2005 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 115(5) of the Rules of Procedure, by

- Carlos José Iturgaiz Angulo, José Ignacio Salafranca Sánchez-Neyra, José Javier Pomés Ruiz, Simon Coveney and Bernd Posselt, on behalf of the PPE-DE Group
- Pasqualina Napoletano and María Elena Valenciano Martínez-Orozco, on behalf of the PSE Group
- Ignasi Guardans Cambó and Sarah Ludford, on behalf of the ALDE Group
- Raül Romeva i Rueda and Frithjof Schmidt, on behalf of the Verts/ALE Group
- Willy Meyer Pleite, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- PSE (B6-0595/2005)
- PPE-DE (B6-0598/2005)
- GUE/NGL (B6-0601/2005)
- Verts/ALE (B6-0604/2005)
- ALDE (B6-0605/2005)

on the Philippines

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PE 365.993v01-00}
PE 365.996v01-00}
PE 365.999v01-00}
PE 366.002v01-00}
PE 366.003v01-00} RC1

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European Parliament resolution on the Philippines

The European Parliament,

- having regard to Article 3 of the Universal Declaration of Human Rights,
 - having regard to the Convention against Torture of 1984, as ratified by the Philippines on 18 June 1986,
 - having regard to the EU guidelines on the death penalty adopted by the Council on 6 June 1998,
 - having regard to the Commission Communication of 8 May 2001 on the European Union's role in promoting human rights and democratisation in third countries (COM(2001) 252), which identifies the abolition of the death penalty as one of the thematic priorities for assistance under the European Initiative for Democracy and Human Rights,
 - having regard to the letters addressed on 10 May 2004 and 6 June 2005 by the former and current Presidents of the European Parliament, Pat Cox and Josep Borrell, to the President of the Philippines, Gloria Macapagal-Arroyo, asking for a review of the trial of Francisco Larrañaga,
 - having regard to its previous resolutions calling for the abolition of the death penalty and for a moratorium on executions in the meantime, and particularly its resolution of 18 December 2003 on 'Philippines: end of the moratorium on the death penalty',
 - having regard to its resolution of 5 April 2005 on the Annual Report on Human Rights in the World 2004 and the EU's policy on the matter,
 - having regard to Rule 115 of its Rules of Procedure,
- A. whereas former Philippines President Estrada implemented a moratorium on the death penalty in March 2000,
- B. whereas current President Macapagal Arroyo announced the lifting of this moratorium as of 1 January 2004,
- C. whereas since the death penalty was restored in 1993 more than 1916 people have been sentenced to death in the Philippines, and there have been seven executions; whereas at least 18 minors are still under sentence of death for crimes committed when they were under 18, although it is laid down clearly in the law of the Philippines that minors cannot be sentenced to death or executed,
- D. whereas amongst the prisoners currently being held under sentence of death in the Philippines is the European citizen Francisco Larrañaga, accused of rape and murder,

- E. whereas despite the fact that his case has all the characteristics of an unfair trial according to international legal standards, the death sentence on Francisco Larrañaga was confirmed in July 2005 and there are no further possibilities of appeal,
1. Endorses all international initiatives which would lead to the abolition of capital punishment worldwide, notably United Nations Commission on Human Rights resolution No 2005/59 on 'The Question of the death penalty' and the Second Optional Protocol to the International Covenant on Civil and Political Rights, and reiterates its call for the universal abolition of the death penalty, and in the meantime for a moratorium on executions;
 2. Calls on the President of the Philippines to reinstate her decision to end the moratorium on the death penalty, and urgently calls on the Philippines Congress to repeal the law on the reintroduction of the death penalty;
 3. Supports the legislative initiative of the Philippines Congress for the abolition of the death penalty in the Philippines;
 4. Asks the President of the Philippines, Mrs Gloria Macapagal-Arroyo, to exercise her powers by granting an absolute pardon to Francisco Larrañaga and securing his immediate release from prison, as well as commuting the death penalty of the prisoners on death row, particularly the 18 child offenders;
 5. Calls for a review of the legal procedure leading to the death penalty in this case, and asks for a fair trial to be held on the basis of respect for all legal, penal and jurisdictional guarantees;
 6. Calls on the Government and Parliament of the Philippine to take radical steps for the reform of the national law enforcement and criminal justice system;
 7. Urges the Commission and Council to take all necessary initiatives to prevent the execution of this EU citizen;
 8. Calls on the Council and Commission to consider the abolition of the death penalty and a universal moratorium on executions as an essential element in relations between the EU and third countries, raising this issue when concluding or renewing agreements with third countries;
 9. Instructs its President to forward this resolution to the Council and Commission, the Government and Parliament of the Philippines, and the other ASEAN governments.