

# EUROPEAN PARLIAMENT

2004



2009

*Session document*

9.7.2008

B6-0350/2008 }  
B6-0357/2008 }  
B6-0358/2008 }  
B6-0363/2008 }  
B6-0369/2008 }  
B6-0370/2008 } RC1

## JOINT MOTION FOR A RESOLUTION

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

- Laima Liucija Andrikiienė, Bernd Posselt, Eija-Riitta Korhola and Tadeusz Zwiefka on behalf of the PPE-DE Group
- Pasqualina Napoletano, Ana Maria Gomes, Józef Pinior and Marianne Mikko, on behalf of the PSE Group
- Marco Pannella, Marco Cappato, Frédérique Ries and Marios Matsakis on behalf of the ALDE Group
- Roberta Angelilli, on behalf of the UEN Group
- Hélène Flautre, Monica Frassoni, Raúl Romeva i Rueda, Milan Horáček, Kathalijne Maria Buitenweg, Pierre Jonckheer, Caroline Lucas and Claude Turmes, on behalf of the Verts/ALE Group
- Vittorio Agnoletto, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- ALDE (B6-0350/2008)
- UEN (B6-0357/2008)
- Verts/ALE (B6-0358/2008)
- GUE/NGL (B6-0363/2008)
- PPE-DE (B6-0369/2008)
- PSE (B6-0370/2008)

on the death penalty, particularly the case of Troy Davis

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PE410.727v01-00}  
PE410.734v01-00}  
PE410.735v01-00}  
PE410.740v01-00}  
PE410.746v01-00}  
PE410.747v01-00} RC1

## **European Parliament resolution on the death penalty, particularly 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 UN General Assembly Resolution 62/149 of 18 December 2007 on the use of the death penalty in the world,
  - having regard to the updated version of 5 June 2008 of the EU Guidelines on the Death Penalty,
- A. having regard to the case of Troy Davis, sentenced to death by the Georgia 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, material evidence against him has never been found and seven witnesses against him have retracted their testimony,
- C. whereas on 4 August 2007 the Supreme Court of Georgia had agreed to reconsider the new elements casting doubt on Mr Davis' culpability,
- D. having regard to the decision of 17 March 2008 by the Supreme Court of Georgia to deny Mr Troy Davis a new trial, and to the dissenting opinion by the Chief Justice,
- E. whereas more than 120 people have been released from death row in the USA since 1975 on the grounds of innocence,
- F. whereas the power of clemency in US capital cases exists as a failsafe against irreversible errors that the courts have been unable or unwilling to remedy,
- G. whereas New Jersey is the first US state to abolish capital punishment by law since the death penalty was reintroduced in the US in 1972, citing the inescapable risk of executing those wrongfully convicted,
1. Calls upon those countries where the death penalty is carried out to take the necessary steps towards abolition;
2. Asks, in view of abundant evidence which might reverse his sentence, for the relevant courts to grant Troy Davis a retrial, and for the death sentence therefore to be commuted;
3. Appeals urgently to the Georgia State Board of Pardons and Paroles to commute the death sentence;

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4. Calls on the Presidency of the Council and the Delegation of the European Commission to the USA to raise the issue with the US authorities as a matter of urgency;
5. Instructs its President to forward this resolution to the Council and Commission, and to the Government of the United States, the Georgia State Board of Pardons and Paroles and the Attorney General of Georgia.