

EUROPEAN PARLIAMENT

17 November 1999

B5-272/1999 }
B5-274/1999 }
B5-282/1999 }
B5-283/1999 }
B5-284/1999 }
B5-287/1999 }
B5-297/1999 }
B5-306/1999 }RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 50 of the Rules of Procedure

by the following Members:

Salafranca and Berthu, on behalf of the PPE Group

Schori, Díez González, Karamanou and Veltroni, on behalf of the PSE Group

Malmstrom and Rutelli, on behalf of the ELDR Group

Wuori, Knörr, Frassoni, Messner and Boumediene-Thiery, on behalf of the Verts/ALE Group

Wurtz, González Alvarez, Manisco, Laguiller, Morgantini, Brie, Alavanos, Schmid, Korakas and Miranda, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- ELDR (B5-272/1999)
- GUE/NGL (B5-274/1999)
- PSE (B5-282/1999)
- PSE (B5-283/1999)
- PSE (B5-284/1999)
- PPE (B5-287/1999)
- Verts/ALE (B5-297/1999)
- PPE (B5-306/1999)

on establishing a worldwide moratorium on carrying out death sentences, with particular reference to the sentences against Joaquín José Martínez, Mumia Abu Jamal and Larry Robinson in particular

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The European Parliament,

- having regard to its previous resolutions on the death penalty,
 - having regard to the memorandum by the European Union at the 54th United Nations General Assembly,
 - having regard to the continuing use of capital punishment in many countries,
- A. reiterating that the abolition of the death penalty constitutes a fundamental step towards enhancing human dignity, ongoing developing of human rights and increasing respect for those rights,
 - B. deeply concerned at the threat of execution hanging over thousands of people in the world, but encouraged by the fact that the number of abolitionist countries is steadily growing,
 - C. reiterating the welcome it extended to the initiative taken by the Council on behalf of the EU at the 54th United Nations General Assembly with regard to a moratorium on the death penalty,
 - D. disturbed by the death sentence handed down on Joaquín José Martínez, a European citizen of Spanish nationality, by a court in Florida (USA) in 1997, and having regard to the decision to be taken by the Florida Supreme Court on the appeal lodged by Joaquín José Martínez defence which is claiming that the trial was marred by numerous procedural irregularities,
 - E. whereas the journalist Mumia Abu Jamal was sentenced to death in December 1982, and that there has so far been a consistent refusal to review the trial, and whereas the execution scheduled for 2 December has been postponed,
 - F. having regard to the case of Mr Larry Robinson, whose execution has been postponed in the US following doubts about his mental health,
 - G. disturbed by the frequent executions of US citizens who are later proven to have been innocent,
1. Deplores in the strongest possible terms the fact that the requisite conditions were not forthcoming during the UN General Assembly negotiations on the adoption of a resolution on the moratorium on the death penalty;

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2. Voices its disappointment that the Finnish Presidency-in-office of the Council found itself constrained to ask for the postponement of the negotiation of the resolution containing the call for a moratorium on executions, pending the total abolition;
3. Urges all the Member States and the Presidency-in-office of the Council to do everything in their power to bring about a vote on a moratorium on the death penalty during the current session, stressing that achieving such an objective within the United Nations would constitute considerable progress towards the ultimate goal of abolishing the death penalty;
4. Calls on the European Union Institutions to put pressure on the USA not to proceed with the executions;
5. Calls for a retrial for Joaquín José Martínez, with all due legal guarantees, and for his death sentence to be lifted once and for all;
6. Calls on the Federal Court of Pennsylvania to commute the death sentence passed on Mr Mumia Abu Jamal and calls on its parliamentary delegation for relations with the USA to raise the issue at its next meeting with the US parliamentary representatives;
7. Calls on the members of the Texas Board of Pardons and Paroles and Governor Mr George Bush Jr. to grant clemency to Mr Larry Robinson and commute his sentence;
8. Appeals to the Supreme Court of the United States to meet its obligations under the International Covenant on Civil and Political Rights and to abolish the death penalty for crimes committed by minors;
9. Calls on the Council to consider the possibility of making the abolition of the death penalty an integral part of the human rights clause when negotiating agreements with third countries;
10. Instructs its President to forward this resolution to the Council and Commission, the President of the UN Commission on Human Rights, the parliament and government of the USA, the Governor of the State of Pennsylvania, the Federal Court of Pennsylvania, the Texas Board of Pardons and Paroles and the Florida Supreme Court.

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