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Death Penalty: notably the case of Troy Davis

Greens/EFA motion for a resolution

Tabled by ***Hélène Flautre, Raül Romeva i Rueda, Milan Horá?ek, Kathalijne Maria Buitenweg, Pierre Jonckheer, Caroline Lucas, Claude Turmes, Monica Frassoni***

on behalf of the Greens/EFA Group

The European Parliament,

- having regard to Resolution 62/149 adopted by the United Nations General Assembly on 18 December 2007, calling for a global moratorium on the use of the death penalty,

- having regard to the EU Guidelines on the death penalty of 16 June 1998, and its revised and updated version of 2008,

- having regard to its previous resolutions on the abolition of the death penalty,

- having regard to its resolution adopted on 8 May 2008 on the Annual Report on Human Rights in the World 2007 and the European Union's policy on the matter,

- having regard to Rule 115(5) of its Rules of Procedure,

A. whereas Troy Davis, US citizen was convicted of the murder of 27-year-old officer and sentenced to death for this murder by the Georgian State Court in 1991,

B. whereas Troy Davis has been on death row for more than 16 years for this murder which he maintains he did not commit,

D. whereas the case against Troy Davis consisted entirely of witness testimony and taking note of the fact that many of the witnesses presented by the prosecution at the trial have since recanted or contradicted their testimony,

E. whereas on 4 August 2007 the Georgian Supreme Court had agreed to reconsider the nature of the new elements questioning the guilt of Troy Davis,

F. whereas on 17 March 2008, the Georgia Supreme Court, in a 4-3 decision, denied Troy Davis a new trial or an evidentiary hearing on post-conviction evidence of innocence,

G. taking note of the large number of wrongful convictions in capital cases in the USA since 1976, and

underlining that unreliability of witness testimony has been a contributing factor in many of these cases,

H. whereas the abolition of the death penalty is a fundamental value of the European Union and a corner stone of its foreign policy,

1. Reiterates its longstanding position against the death penalty in all cases and under all circumstances and recalls the EU strong commitment to working towards the abolition of the death penalty and to calling for its use to be progressively restricted, as set out in the EU Guidelines on the Death Penalty;

2. Expresses once more its conviction that the abolition of the death penalty contributes to the enhancement of human dignity and to the progressive development of human rights;

3. Firmly believes that the power of clemency in capital cases exists as a failsafe against irreversible error that the courts have been unable or unwilling to remedy;

4. Insists on the fact that, in the case of Troy Davis, the evidence presented is not clear and compelling and leaves room for reasonable doubt;

5. Urges therefore the Georgia State Board of Pardons and Paroles to commute the death sentence of Troy Davis;

6. Calls on the delegation of the European Commission in the United Sates to raise this issue with the US authorities;

7. Instructs its President to forward this resolution to the Council and the Commission, the Government of the United States, the Governor of the State and the Georgia State Board of Pardons and Paroles;

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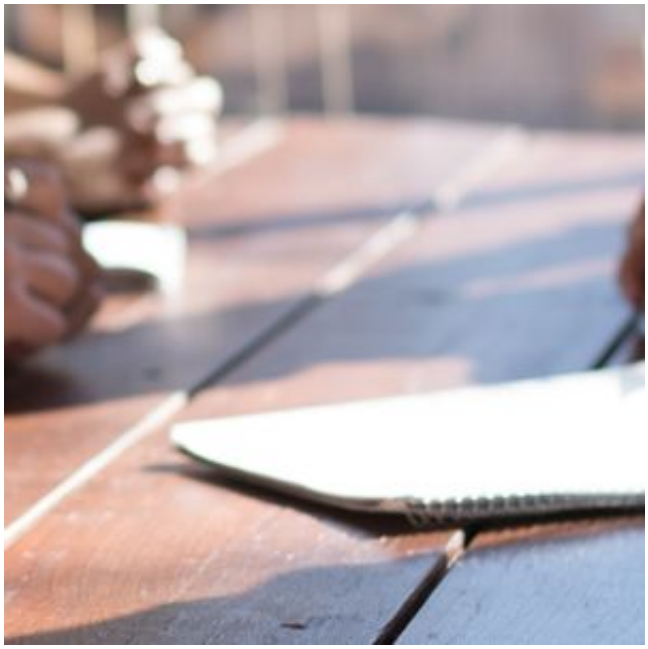

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