

European Parliament resolution of 10 July 2008 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 is still imposed,

- having regard to UN General Assembly Resolution 62/149 of 18 December 2007 on the moratorium on the use of the death penalty in the world,

- having regard to the updated and revised version of the EU Guidelines on the Death Penalty, adopted by the Council on 16 June 2008,

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 Troy Davis' lawyers, there is abundant proof of his innocence, material evidence against him has never been produced and seven witnesses for the prosecution have retracted their testimony,

C. whereas on 4 August 2007 the Supreme Court of Georgia agreed to reconsider new elements casting doubt on Troy Davis' guilt,

D. whereas on 17 March 2008 the Supreme Court of Georgia denied Troy Davis a retrial, although the Chief Justice dissented,

E. whereas since 1975 more than 120 people have been released from death row in the United States, having been found innocent,

F. whereas in the United States the power of clemency in cases where a capital sentence has been imposed exists as a failsafe against irreversible errors that the courts are unable or unwilling to remedy,

G. whereas New Jersey is the first US State to have abolished capital punishment by legislation since the reintroduction of the death penalty in the United States in 1972, citing the inescapable risk of executing those wrongfully convicted,

1. Calls upon those countries where the death penalty is imposed to take the necessary steps towards its abolition;

2. Asks that Troy Davis' death sentence be commuted and, in view of the abundant evidence which might lead to such commutation, for the relevant courts to grant him a retrial;

3. Appeals urgently to the Georgia State Board of Pardons and Paroles to commute Troy Davis' death sentence;
4. Calls on the Presidency of the Council and the Delegation of the Commission to the United States to raise the issue as a matter of urgency with the US authorities;
5. Instructs its President to forward this resolution to the Council, the Commission, the Government of the United States, the Georgia State Board of Pardons and Paroles, and the Attorney General of Georgia.