

Thursday 16 December 1999

## 11. Human rights: Capital punishment (Virginia, Yemen)

**B5-0335, 0341, 0347, 0368 and 0369/1999**

### **European Parliament resolution on the death sentences passed on two European citizens, Nabil Nanakli in the Yemen and Derek Rocco Barnabei in Virginia, USA**

*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, and in particular its resolutions of 8 October 1998 <sup>(1)</sup> and 18 November 1999 <sup>(2)</sup>,
  - having regard to the memorandum tabled by the EU Presidency at the 54th UN General Assembly,
- A. whereas the abolition of the death penalty constitutes a contribution to the enhancement of human dignity and to the progressive development of human rights,
- B. having regard to the constitution of Yemen of 1 October 1994, and the country's signature of the UN Charter and the Universal Declaration of Human Rights,
- C. whereas an irrevocable death sentence was passed on 21 November 1999 by a Yemeni court on Nabil Nanakli, a European citizen, on a charge of terrorist crimes,
- D. having regard to the concern shown by the Spanish Muslim community, and its efforts to establish documentary evidence and place Mr Nanakli in the hands of the Spanish courts,
- E. having regard to the case of Derek Rocco Barnabei, sentenced to death by the Virginia State Court for the murder of a young woman in 1993, and who is scheduled to be executed at the beginning of the year 2000,
- F. whereas according to Mr Barnabei's lawyers there is abundant proof of his innocence and this is supported by the findings of various experts, who reject the possibility that he was involved in any way; whereas in the opinion of leading US legal specialists, there has been a grave judicial error made in his case,
- G. whereas any sentence passed by a court should have the purpose of re-educating the guilty party, so that, having served his sentence, he can rejoin civil society as a fully rehabilitated, new person, able to lead a normal life amongst and with his fellow citizens,
1. Calls upon those countries where the death penalty is carried out to take the necessary steps towards definitive abolition;
  2. Calls on the Council and its President-in-Office to exploit all possible ways and means of preventing the executions of Mr Nanakli and Mr Barnabei;
  3. Asks that in view of abundant evidence which might reverse his sentence, the relevant courts should offer Derek Rocco Barnabei a retrial, and that the death sentence should therefore be suspended;
  4. Appeals urgently to the Governor of the State of Virginia to refrain from signing any new warrant of execution against Derek Rocco Barnabei and calls for commutation of the death penalty to which he has been condemned;
  5. Repeats its request to the Council that it consider including the abolition of the death penalty as part of the human rights clause in agreements with third countries;

<sup>(1)</sup> OJ C 328, 26.10.1998, p. 193.

<sup>(2)</sup> Texts Adopted of that sitting, Item 8.

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6. Calls on its delegation for relations with the USA to raise the issue at its next meeting with the members of Congress;
7. Instructs its President to forward this resolution to the Council and the Commission, the chairman of the UN Human Rights Commission, the Prime Minister of Yemen, the Government of the United States and the Governor of the State of Virginia.

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## 12. Human rights: Kuwaiti women's right to vote

**B5-0342, 0351, 0370, 0379 and 0383/1999**

### European Parliament resolution on voting rights for women in Kuwait

*The European Parliament,*

- A. noting that Article 29 of the Kuwait constitution reads that 'all citizens are equal before the law, regardless of gender, religion, race or ethnic background',
  - B. noting that Kuwait is a signatory to the International Convention on the elimination of all forms of discrimination against women,
  - C. noting that, since the Constitution was promulgated in 1961, the rights of women to vote and stand for election have never been granted,
  - D. noting that His Highness the Emir submitted a decree to the Kuwait Legislative Assembly aimed at giving women the right to vote and stand for election in parliamentary and municipal elections from 2003 and that this decree was rejected by the Legislative Assembly on 23 November 1999,
  - E. noting that at a second attempt the same Assembly narrowly rejected a bill of similar import on 30 November 1999 by 32 to 30, with 2 abstentions,
1. Voices deep disappointment at the decisions taken by the National Assembly of Kuwait, which prevent Kuwaiti female citizens from exercising an elementary right; expresses its solidarity with the women of Kuwait and encourages efforts to make the population more aware of the issue;
  2. Calls on the Parliament of Kuwait to adopt a bill granting women full political rights, including the right to vote and to stand for election;
  3. Congratulates the Kuwaiti Government for its recent nomination, the first time ever, of a woman — Dr Rasha Al-Sabah — to a position in the Government;
  4. Instructs its President to make all possible efforts, in agreement with the Speaker of the National Assembly, to organise a meeting in Kuwait of the EP delegation for relations with Mashreq and the Gulf States with a representation of Kuwaiti parliamentarians to debate issues of common interest, including women's rights, as soon as possible;
  5. Instructs its President to forward this resolution to the Council, the Commission, Emir Cheikh Jaber el Ahmed Al-Sabah and the National Assembly of Kuwait.
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