

Thursday 18 November 1999

## **8. Human rights: Moratorium on capital punishment**

**B5-0272, 0274, 0282, 0283, 0284, 0287, 0297 and 0306/1999**

**European Parliament resolution on establishing a worldwide moratorium on capital punishment, with particular reference to the sentences against Joaquín José Martínez, Mumia Abu Jamal and Larry Robinson**

*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,
- A. having regard to the continuing use of capital punishment in many countries,
  - B. reiterating that the abolition of capital punishment constitutes a fundamental step towards enhancing human dignity, ongoing developing of human rights and increasing respect for those rights,
  - C. 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,
  - D. 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 capital punishment,
  - E. 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 his defence which is claiming that the trial was marred by numerous procedural irregularities,
  - F. whereas the journalist Mumia Abu Jamal was sentenced to death in December 1982; whereas there has so far been a consistent refusal to review the trial; whereas the execution scheduled for 2 December 1999 has been postponed,
  - G. having regard to the case of Larry Robinson, whose execution has been postponed in the US following doubts about his mental health,
  - H. disturbed by the frequent executions of US citizens who are later proved 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 a moratorium on capital punishment;
  2. Voices its disappointment that the Finnish Presidency-in-Office of the Council found itself constrained to ask for postponement of the negotiation of the resolution containing the call for a moratorium on executions, pending 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 capital punishment 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;

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6. Calls on the Federal Court of Pennsylvania to commute the death sentence passed on Mumia Abu Jamal and instructs its 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 George Bush Jr to grant clemency to 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 capital punishment for crimes committed by minors;
9. Calls on the Council to consider the possibility of making the abolition of capital punishment 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 Congress and Administration of the USA, the Governor of the State of Pennsylvania, the Federal Court of Pennsylvania, the Texas Board of Pardons and Paroles, the Governor of the State of Texas and the Florida Supreme Court.

## **9. Human rights: Respect for Serbs and other minority groups in Kosovo**

**B5-0270, 0275, 0281, 0298 and 0305/1999**

### **European Parliament resolution on the situation of the Serb and other national minorities in Kosovo**

*The European Parliament,*

- having regard to its previous resolutions on the situation in Kosovo and the former Yugoslavia,
  - having regard to the conclusions of the Presidency of the European Council in Cologne on 3 and 4 June 1999,
  - having regard to UN Security Council Resolution 1244 (1999), the full withdrawal of all Serb security forces, the end of NATO's air campaign, as well as the development of the Kosovo International Security Force (KFOR) and the setting up of the UNMIK (UN Interim Administration Mission in Kosovo),
  - having regard to the Military Technical Agreement between KFOR and the governments of the Federal Republic of Yugoslavia and the Republic of Serbia, agreed on 9 June 1999,
  - having regard to the Stability Pact for South-Eastern Europe signed by the Council on 10 June 1999,
  - having regard to the Statement by the Presidency on behalf of the European Union on the demilitarisation of the Kosovo Liberation Army (KLA) of 23 September 1999,
  - having regard to the Statement by the Presidency on behalf of the European Union on 4 November 1999 concerning the ongoing violence in Kosovo,
- A. deeply concerned about the recent acts of violence against the Serb and Roma population of Kosovo, in particular about the attacks on the convoy of 155 Serbs, organised by the UNHCR on 27 October 1999 in Pec,
  - B. deeply concerned about the shooting attack against Mr Momcilo Trajkovic, President of the 'Kosovo Serbian Residence Movement' and co-chairman of the Serbian National Council, on 31 October 1999 in his home in Pristina,
  - C. deeply concerned about the murder of the Bulgarian UN official Valentin Krumov in Pristina on 12 October 1999,