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9. Draws attention to the Mexican Government's cooperation in promoting an effective form of multilateralism and strengthening the UN's peace-keeping and peace-building capacity and its ability to ensure respect for human rights, while bringing international law to bear in addressing threats to peace and security such as drugs and arms trafficking, organised crime, terrorism and trafficking in human beings, in line with the Lima Declaration;

10. Urges that the Strategic Partnership be seen as an opportunity to discuss how to enhance the effectiveness of the human rights and democracy clause in all the agreements between the two parties and assess compliance with that clause, including through the development of its positive dimension, given that human rights and democracy are fundamental values;

11. Considers social integration to be one of the most important means of enabling young people to identify with the democratic system; considers frustration felt by young people to be one of the main factors behind the violence; believes, therefore, that EU cooperation on social cohesion needs to be stepped up; calls on the Mexican authorities to bring the necessary resources to bear in helping young people to take their place in society, and to adopt prevention, rehabilitation and social reintegration programmes for drug addicts;

12. Calls on the Commission and the Mexican Government to ensure that, during the mid-term review (2007-2013) of the Development Cooperation Instrument (DCI), security, better governance and stronger institutions are made a priority under focal sector 1 (Social Cohesion);

13. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Member States, the Secretary-General of the Organisation of American States (OAS), the Eurolat Parliamentary Assembly and the President and Congress of Mexico.

South Korea - death penalty declared legal

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European Parliament resolution of 11 March 2010 on the death penalty being declared legal in the Republic of Korea

(2010/C 349 E/20)

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 applied,
- having regard to United Nations General Assembly Resolution 62/149 of 18 December 2007 calling for a moratorium on the use of the death penalty (on the report of the Third Committee (A/62/439/Add.2)),
- having regard to the revised and updated version of the EU Guidelines on the Death Penalty, adopted by the Council on 3 June 1998,
- having regard to the final declaration adopted by the 4th World Congress against the Death Penalty, held in Geneva from 24 to 26 February 2010, which calls for universal abolition of the death penalty,
- having regard to Rule 122(5) of its Rules of Procedure,

A. whereas the European Union is strongly committed to the abolition of the death penalty and is striving to achieve universal acceptance of this principle,

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- B. whereas, on 25 February 2010, the Constitutional Court of the Republic of Korea ruled by a 5-4 majority that capital punishment is constitutional, and whereas, however, the judges also underlined that the issue of whether to retain or abolish the death penalty should be debated in the National Assembly rather than in the course of constitutional proceedings,
- C. whereas the Constitutional Court adopted its ruling by a vote of 5 in favour to 4 against, and whereas the 1996 ruling was adopted by 7 votes to 2,
- D. whereas the Constitutional Court took its decision in response to a petition filed by a 72-year-old Korean man convicted of killing four tourists in 2007, who claimed that capital punishment infringed his constitutional guarantee of dignity,
- E. whereas the Republic of Korea has more than 55 prisoners facing confirmed death sentences,
- F. whereas the last execution in the Republic of Korea took place in December 1997; whereas, under the newly inaugurated President Kim Dae-jung, who had himself been sentenced to death in 1980 before being pardoned, capital punishment ceased to be applied, and whereas for the last 13 years the Republic of Korea has belonged to the group of nations that are 'abolitionist in practice',
- G. whereas in 2006 the National Human Rights Commission proposed a draft law on abolition of the death penalty,
- H. whereas on 18 December 2007 the UN General Assembly adopted, by a large majority, a resolution asking countries that practise the death penalty to 'establish a moratorium on executions with a view to abolishing the death penalty', the content of which was reaffirmed in a second resolution adopted on 18 December 2008,
1. Recognises that the Republic of Korea has not carried out any executions since 1998, making it a *de facto* abolitionist country; welcomes improvements in the protection and promotion of human rights there;
 2. Is deeply disappointed at the decision by the Republic of Korea's Constitutional Court to uphold the death penalty, but notes that the ruling was adopted by a very small majority, unlike the 7-2 verdict in 1996;
 3. Expresses its support for movements fighting for the abolition of the death penalty in the Republic of Korea;
 4. Reiterates its general opposition to the death penalty, which is at odds with a modern criminal justice system and, contrary to popular belief, does not reduce crime rates;
 5. Encourages the Republic of Korea to institute a legal moratorium on all executions until Parliament has passed a law abolishing the death penalty;
 6. Calls on the Government of the Republic of Korea to support the UN resolution on the abolition of the death penalty, and to decide to co-sponsor or vote in favour of a resolution to be submitted to the General Assembly;
 7. Notes with satisfaction that a clear majority of the world's countries – representing more than two-thirds of the international community – have now completely abolished capital punishment *de jure* or instituted *de facto* moratoria on executions;
 8. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign and Security Policy, the governments and parliaments of the Member States, the UN Secretary-General, the Government of the Republic of Korea and the National Human Rights Committee of Korea (NHRCK).
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