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**A statement for Immediate Release**

**Issued by Human Rights and Democracy Media Center "SHAMS"**

**The Israeli Prime Minister Benjamin Netanyahu gives the green light to pass a law to execute the  
Palestinian detainees.**

**"SHAMS" Center: the draft law of the execution of the Palestinian detainees represents a racist law and an  
organized State terrorism**

"SHAMS" Center **cautions against** the decision of the Israeli Prime Minister Benjamin Netanyahu, giving the green light to pass a law to execute the Palestinian detainees. During the session held of the leaders of the ruling coalition parties, and according to a request issued by the Israeli Minister of Education, Naftaly Benet, it was agreed to pass the draft law, which is advocated by the Israeli Minister of War, Avigdor Liberman, which was a core subject in his electoral campaign 3 years ago. The conversation around the execution of the Palestinian detainees in the electoral campaign of "Liberman" hadn't not been an electoral manipulation. The draft law was submitted by the Knesset member Robert Elitof, the leader of parliamentary blocs of "Yisrael Beiteinu" headed by Avigdor Liberman, the Israeli Minister of War.

In July 2017, the Bill was introduced however; Israel's Knesset refused it by a majority of its members. The Bill was then re-introduced before the Knesset in December 2017 following approval by the Israeli government coalition parties, to be ratified by the Israel's Knesset in a preliminary reading. On January 2018, the majority 52 members voted in favor the draft law versus 49 members out of 120, the entire number of Israel's Knesset members. The Constitution Committee of Israel's Knesset is scheduled to begin its considerations, in preparation for the bill to be voted upon in the first reading. As per the draft law, in the decisions of the military courts in the occupied West Bank, there will be no need for the unanimous opinion of three judges of the military court to impose the death penalty but only a simple majority, the majority of two of the three judges. The draft law also eliminates the discretion of Military leader in the area of station set aside the death sentence. Besides, the Military Prosecution does not have to demand the imposition of the death penalty in such cases, but it is subject to the considerations of the claimants in each case.



"SHAMS" Center **calls upon** the UN Secretary-General Mr. António Guterres, the special rapporteurs, the United Nations bodies and organizations specialized, and regional organizations headed by the European Union, non-international human rights organizations headed by the Red Cross, the Inter-Parliamentary Union, Arab Inter-Parliamentary Union, the Arabic Federation of Human Rights, the International Federation of Lawyers, the Union of Arab Lawyers, World Coalition against the Death Penalty, and all human rights organizations. in order to counter the racist draft law against human dignity and to protect the Palestinian people and detainees, based on the Geneva Conventions.

Apparently, The draft law targets the Palestinian presence. It comes in the context of the heated run by the Israeli government to enact more racist legislations against the Palestinians. Moreover, the draft law also seeks to find security solutions through which the Israeli government is trying to cover for its failure to challenge the Palestinian people and to eliminate the struggle of the Palestinians to regain their legitimate rights, especially the establishment of their independent state on their national land. Despite the fact that occupying State has tried all security ways & methods yet, it has failed at that.

"SHAMS" Center **calls for** the Palestinian National Authority, its ministries and specialized agencies, particularly the Commission of Detainees and Ex-detainees Affairs, to constitute a crisis unit, by the Palestinian Government, Human Rights Commission and civil society in the PLO, ICHR, and the Palestinian human rights organizations. Intended to follow up the file at all levels, and not merely denouncing and deploring, and to undertake ongoing actions to address the Israeli arrogance, taking into consideration the international trends to abolish the death penalty of national legislations. In addition to expose the occupying Power in the eyes of international public opinion as the oasis of the so-called democracy in the Middle Eastern desert and to make instant communications with diplomatic bodies & missions accredited in the State of Palestine, and to put them in the picture of the situation. In addition to take immediate action by the High Contracting Parties to the Geneva Conventions.



"SHAMS" Center **reminds** that death penalty in the Israeli military orders haven't been cancelled yet, as the occupation is keen not to apply the capital punishment, according to political, security considerations and has worked instead, to replace it with life imprisonment.

The so-called commander of the IDF forces in the Gaza Strip issued Military Order No. (60) of February 5, 1968, under which the death penalty contained in any legislation was transferred from a mandatory penalty to a discretionary penalty. Meaning that the military order did not abolish the death penalty in the Gaza Strip Gaza or freeze the work, but transferred it to a mandatory penalty in some of the crimes to the discretionary, in which the judge may award if he chooses.

In the West Bank, Military Order No. 268 was issued on 24 July 1968. This stipulates that if the death penalty is imposed by the law as a mandatory penalty, the court should sentence the life imprisonment as a mandatory penalty. If the death penalty is not a mandatory (discretionary) penalty, The judge got a choice to sentence the accused to life imprisonment or to a term of imprisonment. During the period of Israeli military rule, practical exercise has not included executions or even such decisions issued by civil courts.