



2016/5/31

“SHAMS” center: executing 3 citizens by Hamas breaks the law

“ **SHAMS** ”center **condemns** Hamas implementing executions of citizen which are “ M. A ”and“ Y. Sh ”and“ A. Sh ”on Tuesday 31/5/2016 early morning. Carrying out these executions violates against the law and represents a dual crime, on one hand 3 citizens were murdered, and the executions were implemented without the ratification of the president from the other hand. It is worth noting that article (109) of the Palestinian Basic Law and articles 408 and 409 of Palestinian Penal Procedures Law number (3) of 2001 all emphasize that the death penalty cannot be carried out without the ratification of the president of the Palestinian National Authority. Based on the Palestinian legislation, the center confirms that no party, other than the president of the Palestinian National Authority, has the authority to ratify death penalties.

“ **SHAMS** ”center **stresses** its solidarity and support to the families of victims. The center also emphasize that calling for the abolition of death penalty against the perpetrators doesn’t represent tolerating people charged with serious crimes, but replacing death penalty with other deterrent punishments which respect human life and dignity .Execution is the ultimate, irrevocable punishment, which embodies the cruelest intentional killing, and the risk of executing an innocent person can never be eliminated .

“ **SHAMS** ”center **emphasizes** that implementing death penalty isn’t an effective way to deter people from committing crime and it is an irreversible punishment. Consequently, enhancing the rule of law is the key to guarantee preserving security and justice equally.

Also, using death penalty by killing for the purpose of deterring crime indicate incapacity to end criminality. And before carrying out sentences, the real



personal, social, and family reasons which motivated the charged people to commit crime should be checked .

It is necessary to respect human dignity and provide citizens in Gaza Strip with requirements of decent life, In addition to put an end to the challenges of unemployment, immigration, suicide, corruption. Moreover, health, social conditions, freedom of opinion, personal safety of citizens should be improved and guaranteed to achieve a decent life they deserve. This will contribute to eliminating reasons of criminality and criminals .

“**SHAMS**” center **reminds** that since the establishment of the PNA in 1994 until 31/5/2016, it has inflicted (181) death sentences upon citizens who committed different crimes (151) death sentences were issued in Gaza Strip, (30) sentences were issued in the West Bank and among the sentences issued in Gaza Strip (93) sentences were issued in 2007 particularly. Moreover, since the establishment of the PNA it has executed (35) sentences and 33 ones were in Gaza Strip and (2) in the West Bank. It worth noting that among sentences executed in Gaza Strip, (22) ones were executed since 2007 without the approval the Palestinian President unlawfully .

“END”