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A statement for immediate release
Issued by the Human Rights and Democracy Media Center "SHAMS"
On the imposition of death sentence against a citizen by Khan Younis Court of First Instance

"SHAMS" Center **condemns in the strongest terms** the sentencing of a citizen (A.A) to death by hanging by Khan Younis Court of First Instance on February 5, 2020, which is the first death penalty imposed this year. This represents a systematic flagrant violation of the right to life and opposes the binding international conventions in Palestine, primarily the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming to abolish and prohibit the death penalty, to which Palestine has acceded in 2018, and insufficient efforts have been made to enforce it up to this point. Contrary to constitutional procedures provided for under national laws.

"SHAMS" Center **underlines** that respect of the national laws for international conventions, charters, and treaties, specifically with regard to the judicial system and fair trial guarantees, is binding and constitutes the most important human rights guarantee, and that sovereignty cannot be invoked to violate human rights under the formed and cross-border global legal order, And that the national judicial system is binding in accordance with the law, customs, and decisions of international tribunals to respect the provisions established by the conventions to which Palestine acceded and not to violate it. Nevertheless, the death sentences handed down by the courts in the Gaza Strip and its and implementation processes violate the procedures provided for under the national legislation, to be followed on pain of nullity.

"SHAMS" Center **reminds** all parties, that its call for the abolition of capital punishment doesn't mean in any way, indulgence with those convicted of serious crimes. Rather, represents a firm position against a punishment that does not respect the humanity and dignity of human beings, and takes the nature of revenge, not deterrence, reform or rehabilitation. Also, death penalty does not achieve the goals that the state seeks from the philosophy of punishment, does not have guarantees of a fair trial, and represents a state of ongoing psychological torture of the convicted person which badly affect his/her family and children, which would fall into the category impersonal punishments, in addition to being irreversible once executed, and a cure for

individual fault under a collective institutionalized mistake. This principled position does not mean our out call for the release the convicted, but to replace the crime of death penalty with a decent punishment that achieves and ensures private and public deterrence and respects human dignity and human life.

"SHAMS" Center **views** with serious concern the continuation of imposing death sentences by courts in the Gaza Strip at a different rate in a grave violation of the right to life at a time when our Palestinian people are fighting for this right. Despite the "SHAMS" Center's appreciation of the Palestinian President's failure to ratify the implementation of death sentences, but the center considers the legislative frameworks in the Palestinian legal system that permit the death penalty a permanent threat of its possible implementation in the West Bank, as the refusal to ratify is connected with the person of the President and not the structural frameworks. However, courts in the Gaza Strip continue to pass sentences and law enforcement agencies continue the application of death penalty sentences, which was why **"SHAMS"** Center renews its call for the Palestinian president to issue a Decree-Law that eliminates the death penalty legislation. Thereby, helping to limit the fight against capital punishment at the level of practices in the Gaza Strip, and at the level of supportive cultures in the West Bank and Gaza Strip.

"END"