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A statement for immediate release

Issued by the Human Rights and Democracy Media Center "SHAMS" About passing death sentences against two citizens by the Deir Al Balah Court of First Instance

The Gaza Strip courts shall stop violating Palestine's international obligations and penal procedures

"SHAMS" Center is seriously concerned with ongoing passing of death sentences in the Gaza Strip courts against citizens on different grounds, most recently the imposition of death by hanging in the criminal case No. (2018/82) against the citizens (A'.Q) 42 years old, and (M.Q) 34 years old, making the total number of death sentences issued by Gaza Courts to 6 since the start of the year.

"SHAMS" Center believes that such sentences represent an unfortunate insistence by the courts in the Gaza Strip to identify with the system of violence and entrench it, structurally and practically, and a grave violation by the judicial authorities, which are supposed to be a guardian of justice and a beacon of rights, foremost of which is the right to life that our Palestinian people have been struggling for decades against The colonial system to bargain it, even though the judges should be aware that human rights apply to our best and worst.

"SHAMS" Center finds the Gaza courts' insistence to violate Palestine's international obligations strange, particularly obligations under the International Covenant on Civil and Political Rights, which culminated in the accession of the State of Palestine to the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty in June 2018. At a time when the Palestinian political system is relenting in aligning these agreements with national legislations and publishing them in the Official Gazette in order to take their natural realm of respect and commitment. The number of death sentences handed down by the Gaza Strip courts amounted to (19) and (4) endorsed judgments in a total of (25) since the Palestinian accession to the protocol.



We at the “SHAMS” Center reiterate our calls, in accordance with our principled struggle against the death penalty, on the courts of the Gaza Strip to respect the principle of the right to life, international human rights standards, and Palestine’s international obligations, and the procedures stipulated by national legislation under the nullity of the penalty in relation to the death penalty, in particular, article (408) and article (409) of the Code of Penal Procedure No. (3) Of 2001, and immediately cease the imposition of death sentences.

We also remind everyone that the eradication of crime starts with the alleviation of conditions, factors, and the compelling criminal environment that drive new perpetrators to emerge and commit crimes in succession, rather than waiting for people to change according to difficult unbearable economic and psychological conditions and an environment in which individuals do not receive proper mental and psychological development, and then making an easy and false decision by getting rid of them to satisfy the feelings of anger, without searching for real solutions that eliminate violence and the underlying crime factors and preserve community safety and social cohesion.

(END)