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A press statement for immediate release
Issued by the Human Rights and Democracy Media Center "SHAMS"

**On the issuance of a death sentence by the Gaza Court of First Instance
against a citizen**

"SHAMS" Center condemns with the strongest terms the Gaza Court of First Instance's (First District) issuance of a death sentence by hanging against the citizen (H.S) for the charge of premeditated murder in contravention of the provisions of the law. This is the second death sentence to be issued by a Gaza court within less than a week.

This sentence comes within an extended list of death sentences issued by courts in the Gaza strip. Their issuance constitutes a multi-layered violation of the right to life and the Basic Law (interim constitution), which states in Article (10) that human rights and liberties shall be protected and respected.

The sentence also violates Palestine's international obligations as per the International Covenant on Civil and Political Rights, which states in Article (6) that "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life," and the Second Optional Protocol of the International Covenant on Civil and Political Rights, Article (1) of which states that "1. No one within the jurisdiction of a State Party to the present Protocol shall be executed. 2. Each State Party shall take all necessary measures to abolish the death penalty within its jurisdiction."

The High Judicial Council in the Gaza Strip declared in a released statement that "murder crimes are amongst the crimes which the judiciary seeks with seriousness and interest to completely end and remove from the active court records. This is done within the judiciary's policy which purports to shorten litigation periods, achieve civil and social peace, and accomplish public deterrence to reach a safe society that is free from crime."

The statement reflects a dangerous policy that prioritizes a rushed closure of cases, which constitutes an infringement upon guarantees of a fair trial and identification with a culture of vendetta and vengeance. The statement also reflects an erroneous



understanding of the philosophy of deterrence that is rooted in physical punishment rather than one which sets rehabilitation and reform as its ultimate objectives. It also reflects an approach that would rather dispense with citizens accused with crimes than courageously confront the reasons underlying their crimes to resolve them at their roots in order to prevent their occurrence in the future and achieve a genuine form of civil peace and social cohesion.

“SHAMS” Center demands the following from all involved parties:

1. It calls upon the courts in the Gaza Strip to fully respect the right to life, stop violations of the State of Palestine’s legal violations, and suspend methodical violations of constitutional guarantees of the right to life.
2. The positive step initiated with the accession the Optional Second Protocol of the International Covenant on Civil and Political Rights which calls for the abolition of the death penalty must continue by aligning national laws with it and the rest of international agreements and conventions to which Palestine has acceded and abolishing the death penalty in Palestinian legislations.
3. The death penalty must be discussed and highlighted in traditional and modern media platforms (social media for example) and media campaigns must be launched at various levels to establish a public opinion that opposes the death penalty.
4. Field work opposing the death penalty must be intensified and so must efforts to monitor justice institutions in order to reach a final solution regarding the death penalty.

The end