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"SHAMS" Center: Attempts to draw red lines that restrict citizens' practice of their rights are desperate, run in contradiction to the trajectory of history, and reflect a state of perplexity and disorganization

Ramallah: the Human Rights and Democracy Media Center "SHAMS" condemned with the strongest and harshest terms the barbaric assault carried out by members of the security forces, other fellow members dressed in civilian clothes, and civilians who are not employed by the security establishment against peaceful protestors who were demonstrating the murder of the political activist, human rights defender, and former candidate to the Palestinian parliament Nizar Banat and journalists who were doing their job and covering the event on Saturday, 26/6/2021 in the city of Ramallah. The center also condemns other violations of the right to peaceful assembly, which occurred in other areas against the same background.

"SHAMS" Center follows with immense concern the accelerating and growing wave of repression that has been taking place since the presidential decree that ordered the postponement of public elections to an unnamed date. This wave included arrests of a number of citizens due to their practice of the right of expression and political affiliation, torture and mistreatment of a number of detainees, the break-up of peaceful assemblies as well as summons and threats.

"SHAMS" Center emphasized that the forceful break-up of peaceful assemblies is a gross violation of the Palestinian Basic Law (interim constitution), which stated in Article (26) that "Palestinians shall have the right to participate in political life, both individually and in groups. They shall have the following rights in particular: to conduct private meetings without the presence of police members, and to conduct public meetings, gatherings and processions, within the limits of the law" and Article (19), which states that "Freedom of opinion may not be prejudiced. Every person shall have the right to express his opinion and to circulate it orally, in writing or in any form of expression or art, with due consideration to the provisions of the law."



These disgraceful practices are also a violation of Palestine's international obligations as per the agreements and conventions to which Palestine acceded including the International Covenant on Civil and Political Rights to which Palestine acceded without any reservations.

"SHAMS" reminded that these violations were perpetuated in light of the ongoing and unconstitutionally declared state of emergency, which the center has previously warned would be used for political motives and to suppress civil voices of opposition and human rights, gain more control of the public sphere, and inflict a greater violation of rights as well as private and public freedoms.

"SHAMS" emphasized that violations of the right to peaceful assembly in Palestine take numerous forms that include the arrest, summoning, and detention of participants in peaceful protests by various security forces, physical assaults like beatings and public dragging of participants in peaceful assemblies in the West Bank and the Gaza Strip, the prevention of the formulation of peaceful protests, hindering protestors' access to assemblies, and the forceful break-up of peaceful assemblies using excessive force and illegitimate violence. All such practices have become methodical and followed repeatedly in an attempt to draw red lines that restrict citizens' practice of their inalienable and indivisible rights, including the use of excessive force and tremendous suppression in the face of any attempt to demonstrate near the president's residence.

"SHAMS" Center also warned that these continuous violations have negative ramifications on civil peace and clearly show that the security forces have not yet learned from the conclusions and recommendations presented by previous investigation committees formed in similar circumstances.

Hence, "SHAMS" Center calls for the following:

1. A hasty and immediate release of all detained activists, and that the security forces in the West Bank and the Gaza Strip immediately stop the arrest of citizens due to the expression of their opinions or participation in peaceful protests.



2. The center calls on the political class to stop issuing orders to break-up peaceful assemblies and to not discriminate among citizens on the basis of their partisan allegiance when it comes to granting them or depriving them of this right. The peaceful protest that was broken up coincided with another protest in favor of the president. Unlike the former, the latter was given the freedom to assemble.
3. The security establishment must launch an immediate investigation in accordance with the law in the forceful break-up of the assembly. The investigation must yield genuine, administrative, and criminal accountability of all those who end up being convicted. The results of the investigation must then be publicly announced as a form of public deterrence.
4. Journalists must be neutralized from all clashes, and the security establishment must commit to not impose any restrictions on their work and enable them to perform their job and cover the news.
5. The State of Palestine must align Palestinian legislations that regulate the right of peaceful assembly with the provisions, standards, and practices stipulated in the international conventions to which Palestine acceded, especially the regulations of the Public Assemblies Law, which violate the constitution, the Legislative Law, and Palestine's international obligations. The International Covenant on Civil and Political Rights must be published in the official Gazette too.
6. The reasons that led to these incidents must be addressed, which is to take place through an integrous, objective, and transparent formulation of an independent investigation committee in the murder of the citizen Nizar Banat. The committee must maintain neutrality during the investigation. The investigation must be responsive, effective, and thorough. The investigation's conclusions and recommendations must be published and the public must be granted access to them in accordance with its right to access information. In addition, the committee's conclusions and recommendations must be fully



implemented and perpetrators must be held accountable in a manner that achieves private and public deterrence.