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A statement For Immediate Release

By Human Rights and Democracy Media Center "SHAMS"

(4) Death sentences in the Palestinian Territories during 72 hours: The courts of Gaza-strip honor the international day against death penalty through confirming their violations of human rights

"SHAMS" Center, observes with great concern, the courts of Gaza-strip accelerating their pace of issuing death penalties against civilians, which takes place after:

1. Court of Cassation, on Oct 5th, 2021, ruling in favor of the execution of the civilian accused with premeditated murder (M.F.A) issued by the court of appeals.
2. On October 4, 2021, the Military Judiciary Committee of the Permanent Military Court issued a death sentence, by execution against the 38-year-old accused of premeditated murder.
3. The Gaza court of first instance (First instance court) issuing on Oct 4th, 2021, a death sentence by execution against the accused (A.D) 38- years old, from Al-Sabra neighborhood, Gaza, on the charge of premeditated murder.
4. On October 3, 2021, the Military Court of Appeal (Second Instance Court) in the Military Judiciary Authority in Gaza confirmed the death sentence by hanging against the 32-year-old accused (A.A.) from Nuseirat camp on charges of intentionally killing a soldier from the Internal Security Service.

Regarding this, "SHAMS" center stresses and points at the cruciality of this time, in which these rulings took place, which is only few days before the international day against the death penalty, that takes place in Oct 10th, 2021, and which will be dedicated to share stories of women, who were victims of death penalty, relating to the discrimination against them on gender-basis.

In the light of the increasing frequency of issuance of death penalties in the Palestinian territories, "SHAMS" center confirms, and stresses that death penalty is a violation of the right to live, And to the Basic law(provisional constitution), and to the legal commitments of the Palestinian state on the international covenant of civil and political rights, which states in Article(6) :“the right to



life is an inherent right of every human being, and the law must protect this right, and no one may be arbitrarily deprived of his life.” In addition to that, the obligations towards the Second Optional Protocol of the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, Article (1) of which states: “1. No person under the jurisdiction of a State Party to this Protocol shall be executed. 2. Each State Party shall take all necessary measures to abolish the death penalty within its jurisdiction.”

“SHAMS” Center points out that the statements of the Supreme Judicial Council in the Gaza Strip state: "The cases are among the murder cases that the judiciary seriously seeks to end with great interest, not keeping them in the court records, moreover, within the judiciary's policy not to prolong the litigation period in order to achieve civil and societal peace, and to achieve public deterrence. As well as a crime-free society. This includes indications of a dangerous policy, focusing on speed of completion of cases and ruling, which may compromise fair trial guarantees, and promote desires of revenge, culture of revenge, it also expresses a misunderstanding of the philosophy of deterrence based on the use of physical punishment, and approaching such societal problems with violence, instead of promoting the values of civil peace for tackling such crimes. Hence, “SHAMS” center stresses on the importance that the Gaza-strip courts respects the right to live, and urges them to stop violating human rights, along with the Palestinian international obligations, seeing this happening through issuing such penalties, in addition to that, the center stresses on the great need to increase the intensity of public civil work, relating to fighting the death penalty, and working against it, as well as increasing the surveillance and lobbying on judicial institutions, towards putting an end to this shameful punishment.

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