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## "SHAMS" Center's Stand from the Serious Violation of the Palestinian Jurisdiction Concerning Sentencing a Citizen by Death without Legal Basis

**"SHAMS" center considers** the death penalty as an extremely dangerous act as the High Criminal Commission issued a death sentence against the citizen (X/L) on Sunday 9/10/2022 which coincides with the eve of the International Day against the Death Penalty by hanging after being charged with possessing narcotic substances and trafficking in them.

It is reported that the citizen was accused of possessing narcotic substances of the type of hashish and grains of happiness with the intent of trafficking, as he was caught in possession of many narcotic substances.

**"SHAMS" center confirms** that the crime of drug trafficking has many negative effects, but international standards and practices have established that the use of the death penalty, although rejected in principle, is especially rejected when these crimes cannot be considered the most serious crimes. In fact, the punishment of such crimes can be replaced by imprisonment and a fine, which is what was affirmed by Resolution 59/2005 of the United Nations Human Rights Committee on the issue of the death penalty, and Law No. (26) of 2018 amending Resolution No. (18) of 2015 regarding combating narcotics and psychotropic substances in force in the Palestinian territories.

Thus, it was not stated that possessing narcotic substances can be punished by death. Furthermore, there is a complex crime committed by the Palestinian judiciary system which is issuing death sentence against a citizen without any legal basis.

**"SHAMS" center recalls that** death sentences issued during 2022 increased to (28) death sentences, including (11) judgments issued in support of previous judgments by the Court of Appeal in the Gaza Strip. Thus, The death sentences issued in the territories of the Palestinian Authority since 1994 rose to (279) sentences, of which (249) are in the Gaza Strip, and (30) are in the West Bank.



Among the sentences issued in the Gaza Strip, (187) have been issued since the Palestinian division in 2007. It is worth mentioning that since its establishment in 1994, the Palestinian Authority has implemented (46) death sentences, including (44) in the Gaza Strip, and two sentences in the West Bank. In addition, (33) sentences were implemented in the Gaza Strip since the division without the approval of the Palestinian President which violated the Palestinian basic law.

On the International Day against the Death Penalty, Shams Center calls for the continuation of the Palestinian National Authority's failure to ratify death sentences, in addition to its call for the continued trial of citizens before military courts as well as the need to review all death sentences issued by both civil and military courts.

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