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Human Rights & Democracy Media Center "SHAMS"

Condemns the policy of the courts of appeal to replace sentences to life imprisonment with death penalty

Human Rights & Democracy Media Center **"SHAMS"** condemns the policy applied by the courts of appeal to amend sentences of life imprisonment to be sentences to death. Since the beginning of the year, it is noticed that the courts of appeal are amending sentences to life imprisonment issued by other courts, against some citizens for specific accusation, to be sentences to death. In this regard, the court of appeal issued a judgment on 22/6/2022 to sentence the citizen (H. B) to death though a court of first- degree sentenced him earlier, to life imprisonment. The mentioned citizen is accused for killing another citizen named Baker Abdul- Razeq on 14/8/2014. He was accused for participating in kidnapping the victim with tendency for predetermined killing as well as owning sharp tool. The sentence for life imprisonment was issued based on the penalty code (4/ 1936).

"SHAMS" Center stresses that amending the sentences to be death penalty instead of life imprisonment, is connected mainly with the tendency of the status quo government in Gaza Strip to maintain its control and terror people. The given government refers to security solutions for the problems that people in the sieged Gaza Strip are facing, where these judgments are seen as public opinion judgments released to gain the support of the public opinion and mass support for its policies. It is a clear dilemma where the life of people is swapped with narrow political interests, which, in turn, reflects that narrow factional interests are given preference over justice and rule of law.

"SHAMS" Center reminds here that the courts build their judgments on outdated laws where the sentence against the above mentioned citizen, was based on the penalty code (74/1936). The given law has been applied in Palestine since the British Mandate era. Such laws are unconstitutionality as they had never been presented or discussed by the Palestinian Legislative Council. Additionally, the outdated laws upon which Palestinians are sentenced



in this regard, contradict with the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Likewise, the laws contradict with the State of Palestine's commitments on the international level.

END