



4/4/2022

**Human Rights and Democracy Media Center "SHAMS"****The Judicial Sector in Gaza Welcomes Ramadan Month with a Death Sentence against a Citizen**

**SHAMS** center calls the de facto government in Gaza and the judicial bodies for the moratorium on the death penalty against the Palestinian citizens. Given that the high criminal court sentenced to death by firing squad on Thursday corresponding to 31\3\2022 against the citizen (A, A) who is 45 years old, and he is from Al Shati Camp in Gaza. He was convicted of murder in violation of the Palestinian law, with respect to the charge against him in the case of killing the citizen Samir Nyef Ebrahim Al Saidi (29) who is from Al Shati Camp in Gaza, too.

**SHAMS** center stresses its solidarity with victims' families. It also stresses that its demand for abolition of the death penalty against the perpetrators does not mean, however, that **SHAMS** calls for tolerance with those who are convicted for serious crimes. But it does demand to replace the death penalty with other exemplary punishment respects the human dignity. Death penalty is the worst forms of murder, it also a cruel and harsh punishment, and it does not achieve the goals of punishment that the government is seeking for. As well, it is the only punishment that cannot be undone, if it appeared that the defendant is innocent, after the execution of penalty.

**SHAMS** center stresses that the continuation of death sentences in Gaza Strip is not accordance with article (109) of the Palestinian basic law that is in force in the Palestinian territory, which provides that the death sentences do not implement only after the endorsement by the Palestinian national authority, which is inconsistent with the obligations of state of Palestine under the signed conventions. Given that Palestinian authority has acceded to the second optional protocol to the international covenant on civil and political rights, aiming at the abolition of the death penalty, and upon the signature of the president, the authorities in Gaza and West Bank shall commit and harmonize laws with international conventions.



**SHAMS** center stresses that the courts in Gaza Strip reliance on penal code No. (74) of 1936, or on the revolutionary penal code No (5) of 1979, which are unconstitutional. Consequently, the issuance of death sentences is a breach of law and its implementation is extrajudicial killing. Especially since that those decisions are against the amended basic law of the year 2003 and the code of criminal procedures No. (3) of 2001.

End