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## **SHAMS center condemns the issuance of a death sentence by hanging by the military court against a Palestinian citizen**

The Human Rights and Democracy Media Center “SHAMS” condemns the issuance of a death sentence by hanging against a Palestinian citizen on the charge of intelligence with Israeli occupation. On 6\6\2022, and in the case No (242/2017) military courts, the military court issued a death sentence by hanging against the citizen (H, R) who is (61) years old, and he is from the north of Gaza Strip. The sentence was issued on the basis of article (415) of the Code of Criminal Procedure No (3) of 2001, and the article (131) of the revolutionary Penal code of 1979. The court indicated that the above-mentioned citizen has a relationship with the intelligence agencies of the Israeli occupation, and he has provided them with security information on the Palestinian resistance, its leaders, and their vehicles, which led to target and kill many of them, in return for money paid by Israeli Occupation.

**“SHAMS” Center calls** upon abstain from presenting civilians to military courts, which violates the law. Up to date, Palestinian civilians are still presented to military courts but not civil courts in violation of the law and the International Human Rights Law Instruments that emphasize the right of accused to be presented to the appropriate courts. Presenting civilians to military courts violates article (30) of the Palestinian Basic Law, which states: “Each Palestinian shall have the right to seek redress in the judicial system”. Therefore, presenting civilians to military courts is constitutionality violation.

**“SHAMS” Center reminds** that the sanctity of human life represents an untouchable matter for whatever reason. No one can extract it as no one has the authority to grant it from the outset. It is irreversible punishment once executed, so it strikes at the very foundation of guarantees of justice and destruct it. Therefore, “SHAMS” Center highlights that death



sentences issued in the Palestinian territories are characterized by several errors of law as it does not respect the basic principles of the right of defense and the guarantees of the accused, and it exhausts all means of judicial review and stages of proceedings. While invoking the deterrent nature of the death penalty, studies repeatedly emphasize that implementing the capital punishment until this day has failed to eliminate crimes. In contrast to the abolitionist countries that chose to respect human life, which have become developed countries in the elimination of crime, demonstrating another mistake in the justifications for the implementation of the death penalty and rejecting this excuse.