



NEWSLETTER

October 2017

Field Visits to the Pillars of Justice

In cooperation with the Lawyers for the Rule of Law Groups (friends of MUSAWA), MUSAWA conducted a series of field visits to the pillars of justice in Gaza throughout the month of October 2017, including the courts of Gaza, Al-Shujaiyah, Jabalia, and Deir Al-Balah; Deir Al-Balah police station; the prosecution offices of Deir Al-Balah and Gaza; and the Sharia courts of Deir Al-Balah and Al-Shujaiyah. These visits come as part of MUSAWA's oversight role in monitoring law-violations and promoting the rule of law.

MUSAWA Holds Board Elections



As part of its annual meeting, held on 14/10/2017, the General Assembly of MUSAWA elected a new Board of Directors (BoD). The meeting, which was

allocated for selecting key BoD positions, brought together 26 out of 29 General Assembly members. Dr. Taleb Awad was elected as the Board Chairman; Ms. Lubna Abdulhadi as the Vice-Chairman; Adv. Yousef Bakhatan as the Treasurer; Adv. Fayzah Al-Shawish as the Secretary; Adv. Yasser Jabr, Adv. Fahd Al-Shweiki, Mr. Samir Al-Barghouthi, Adv. Sharhabeel Al-Zaeem and Adv. Islah Hassania as BoD members.

Accordingly, this year the recently elected BoD will include in its membership three women, two of whom will occupy key positions, as well as two members from Gaza, one of whom is a woman.

Consultation Round to Discuss MUSAWA's Publications:

"Reconciliation and Justice System: The Oversight Role of MUSAWA's Publications in Highlighting Needs and Shortcomings"



MUSAWA held a consultation round, on 16/10/2017, both in the West Bank and Gaza Strip (via video conference) to discuss how MUSAWA's periodic publications shed light on the needs and shortcomings of the justice system. This meeting is particularly important in light of the reconciliation, following a decade of division between the West Bank and Gaza Strip. As two of MUSAWA's monitoring tools over the justice system, Eye on Justice (20) and Justice and Law (29) were discussed throughout the meeting, in addition to seeking possible means of developing these publications in what serves MUSAWA's work as an independent non-governmental watchdog organization. More details [here](#).

Legal Memos

05/10/2017 – A [memo](#) to Dr. Ahmad Bahar (Ombudsman Office) regarding discrimination against women in judicial appointments.

23/10/2017 – A [memo](#) to the Attorney General in Gaza, in response to a written complaint, concerning taking the law into one's own hands and violating the right to access to justice.

23/10/2017 – A [memo](#) to the Attorney General in Gaza, in response to a written complaint, addressing the obstruction of the implementation of judicial rulings and usurping judicial powers.

MUSAWA's Interventions

During October, MUSAWA received five legal complaints: taking the law into one's own hands and violating the right to access to justice; the obstruction of the implementation of judicial rulings and usurping judicial powers; the violation of labour rights; the improper application of the law; and unlawful arbitrary arrest and detention.

While MUSAWA responded to the first two complaints by sending out legal memos to the Attorney General in Gaza, the third and fourth complaints did not fall within MUSAWA's scope of work and, therefore, MUSAWA offered legal advice. As for the fifth complaint, it is still in the process of being studied.

Position Papers in Collaboration with Civil Society Organizations

- **Saying NO to Gender-Based Discrimination in Senior Judicial Appointments. Women have the right to hold positions of all levels**

MUSAWA, along with a number of CSOs, expressed their deep discontent at excluding a woman from serving as a magistrate judge merely because she is a woman; an unjust decision with no legitimate justification and which blatantly deviates from the provisions of the Basic Law... The full paper [here](#).

- **Destroying Cultural Heritage is an Imprescriptible Crime whose Perpetrators shall be Held Accountable**

MUSAWA and a group of CSOs deplored the continued looting of the archaeological area known as Tal al-Sakan, knowing that the Ministry of Tourism issued a decision to stop the land-clearings immediately... The full paper [here](#).

MUSAWA Holds Workshops for Law Students



On 01/10/2017 and 05/10/2017, MUSAWA conducted two workshops for law students at Al-Quds University and Birzeit University. The workshops were held at MUSAWA's Ramallah office, with the purpose of introducing the students to the proceedings of criminal trials. More details [here](#). Moreover, MUSAWA held another workshop, on 29/10/2017, for 29 female students and 3 male students at BZU, tackling the subject of "witness testimony".

MUSAWA Carries-out Trainings for Lawyers and Legal Professionals



MUSAWA conducted a series of trainings throughout the month in its Gaza office, targeting lawyers and legal professionals in Gaza, and addressing a variety of legal topics:

- Legal training titled “Palestine Joining the International Criminal Court” (05/10/2017).
- Lectures about inheritance (09-10/10/2017).
- Legal workshop about “The International Criminal Law, Practical Procedures of Moot Courts”, addressing the jurisdiction of the said court (*ratione temporis, loci et materiae*) (12/10/2017).
- Legal workshop about the proceedings of the Canonical Sharia Court (15/10/2017).
- Workshop about “Fighting Breast Cancer”, on the breast-cancer awareness month (25/10/2017).

MUSAWA’s Mobile Legal Clinic

Strengthening its oversight role on the performance of the justice sector and raising the awareness of marginalized groups about their rights and how to claim these rights, MUSAWA, in cooperation with the Lawyers for the Rule of Law Groups (friends of MUSAWA), offered legal consultations for marginalized groups in the West Bank (Aqbet Jaber, Tulqarm, and Al-Azzeh camps) and the Gaza Strip (Deir Al-Balah, Beit Hanoun, Al-Zawaydeh, and Gaza governorate). The said consultations were preceded by an introduction to legal consultations, and then legal advice was given on matters related to women’s rights according to Sharia, elections, violence against women, the Palestinian Law on the Rights of the Disabled, and the Personal Status Law.

MUSAWA’s Gaza office also conducted two trainings for lawyers to build their capacities in how to offer legal consultations to the public. The training’s topics included violence against men and legal terminology in English.

Consultation Round:

The Draft Decree-Law Amending the Law on Cybercrime

MUSAWA took part in a consultation round on 24-25/10/2017 to discuss the Draft Decree-Law Amending the Law on Cybercrime, held at the Ministry of Justice, with the participation of Government representatives, the ICHR and CSOs. The ICHR and CSOs presented to the Government representative their shared vision on the amendments which should be made to the said decree-law to ensure its conformity with international standards, and to guarantee the citizens’ rights to the freedom of expression and privacy.

This session was preceded by a meeting bringing together MUSAWA, Al-Haq and the ICHR to reach an agreement on the drafting of the said decree-law, followed by a workshop organized by Al-Haq: “Where is the Decree-Law on Cybercrime Heading?”



MUSAWA's Radio Program: "The Law under Spotlight"



"The Law under Spotlight" is a legal radio program that deals with the existing laws, and the rights and duties of citizens under these laws. It sheds light on how much the current laws conform with human rights international treaties. The episodes aim at introducing the Palestinian public to the laws and their provisions, and the appropriate mechanism for accessing their rights in a modern and civilized manner that contributes to civil peace and the rule of law.

You can listen to our program every Monday at 12:00 PM, on-air broadcast through Hawa Nablus (106.8 FM) radio station, hosted by the journalist Ala' Bani-Fadel, in partnership with MUSAWA and the Palestinian Human Rights Defenders' Network (PHRDs).

[Episode \(9\) 02/10/2017](#) – *Divorce from a legal perspective*. Guest: Ms. Fida' Daraghmeh, the Head of Family Guidance and Reform Department, and the first woman marriage officer.

[Episode \(10\) 09/10/2017](#) – *Palestine joining the Interpol*. Guest: Colonel Dr. Mahmoud Salah Al-Din, the Director of the Department of International Cooperation at the Ministry of Interior.

[Episode \(11\) 16/10/2017](#) – *People with disabilities from a legal perspective*. Guest: Ms. Umayma Hilles, a teacher at Mustafa Sadiq Al-Rafii Secondary School for the Deaf in Gaza.

[Episode \(12\) 23/10/2017](#) – *Palestine elections in light of the reconciliation*. Guest: Dr. Talib Awad, an international expert in elections.

[Episode \(13\) 30/10/2017](#) – *The Judicial Authority Law and job security*. Guest: Judge Usama Al-Keilani, Supreme Court judge and Head of the Palestinian Judges Association.

TV & Radio Interviews

Represented by its General Manager, Adv. Ibrahim Barghouthi, MUSAWA participated in a [radio interview](#) (Alam/ Hebron), on 21/10/2017, to discuss the unification of the Palestinian judiciary in light of the reconciliation.

Adv. Mohammad Al-Hattab, a member of the Lawyers for the Rule of Law Groups (friends of MUSAWA) and the Palestinian Human Rights Defenders' Network (PHRDs), participated in a [radio episode](#) as part of the radio program "Legal Flashes" through Gaza FM with the media professional Ansam Al-Qatta', also a member of the PHRDs Network. The discussion revolved around raising legal awareness amongst the Palestinian community members, in addition to the establishment of the said groups and how to join them.

MUSAWA's General Manager, Adv. Ibrahim Barghouthi, participated in an [interview](#) through Mawwal/ Bethlehem, on 18/10/2017, to speak about the legal aid which MUSAWA offers to marginalized groups.

Other Activities

Meeting with the Attorney General/ Gaza, Adviser Dia' Al-Din Al-Madhoun, in the presence of MUSAWA's Gaza team; General Assembly member, Dr. Abdul Kareem Shbeir; and lawyers Hala Hassanieh and Narmeen Sharab.

Participating in a meeting to discuss the Draft Penal Code, with the participation of an expert from France. The meeting was held on 11/10/2017 at the Public Prosecution Office in Ramallah. MUSAWA was represented by its General Manager, Adv. Ibrahim Barghouthi.

Participating in supervising the qualification examination for judges 2017



MUSAWA's Treasurer, Adv. Youssef Bakhatan, took part in the written examination of judges for 2017 as an exam supervisor, held by the High Judicial Council on 28/10/2017 to appoint twenty Magistrate judges in the Palestinian regular courts. The committee was headed by Judge Iman Nasser Al-Din, and included the honorable judges Bassam Hijawi, Abdulkareem Hanoun and Hazem Idkaidek as committee members.

Contributing to a legal session about the Decree-Law on Cybercrime from the legal and technical perspectives. The session was held on 18/10/2017 at Birzeit University's Institute of Law. MUSAWA was represented by its General Manager, Adv. Ibrahim Barghouthi.

Taking part in the launching of a project which tackles Palestine's adherence to human rights agreements: building capacities for execution and accountability. At the invitation of the Ministry of Foreign Affairs, MUSAWA, represented by its General Manager Adv. Ibrahim Barghouthi, participated in the event, which took place on 19/10/2017.

Joining in a meeting to assess the CSOs' monitoring of the local elections process (lessons learnt). At the invitation of SHAMS organization, MUSAWA's General Manager, Adv. Ibrahim Barghouthi, participated in the event, which took place on 30/10/2017.



Participating in a meeting, titled "Elections are a national and democratic entitlement and an entry point to end the division"

Represented by Legal Monitoring Officer, Adv. Angham Mansour, MUSAWA participated in the meeting above, held on 11/10/2017, and organized by Hurriyyat at the hall of Al-Bireh Municipality.

Taking part in the Sixth Annual Conference "Palestine ... Strategic and Policy Visions", held on 08/10/2017, at the invitation of MASARAT. MUSAWA was represented by its Public Relations and Fundraising Officer, Shadha Musallam.



Joining in a consultation round between the security institutions and CSOs, held on 23/10/2017, organized by the Civil Forum to Promote Good Governance in the Security Sector and SHAMS. The discussion tackled the effectiveness/non-effectiveness of the complaints filed by CSOs against the responses they receive from the security services, in addition to the means by which the complaints system can be improved. MUSAWA was represented by its Legal Monitoring Officer, Adv. Angham Mansour.

Attending the bi-annual conference for the State Budget 2017, organized by the National Team for Budget Transparency on 25/10/2017. During the conference, the bi-annual report was presented, and a discussion arose on the salary gaps in public employments. Moreover, the conference addressed the government's policy when it comes to repaying the debts of the pension fund and ensuring its sustainability. MUSAWA was represented by its Legal Monitoring Officer, Adv. Angham Mansour.



MUSAWA's Partners
2017



The Netherlands
Representative Office to
the Palestinian Authority