



NEWSLETTER

September 2017

Demanding the Establishment of an Impartial Committee to Investigate Death Incidents in Gaza Detention Centers

At the initiative of MUSAWA, a number of Civil Society Organizations and legal professionals expressed their shock and deep concern about the repeated death cases of the citizens who are indicted or detained in the detention centers of the district prosecution in the city of Gaza. In light of that, a [position paper](#) was issued on 20/09/2017 demanding the establishment of an impartial and professional investigation committee to look into the reasons behind the recurrence of such incidents, and urging all official and civil parties who have authority to visit detention centers to play an active role and fulfill their obligations as appropriate. Their recommendations should be taken seriously.

The Crumbling Trust in the Justice System and Serious Consideration to Reform

On 17/09/2017, MUSAWA issued a position paper titled "[To Prevent any Further Deviation and Loss of Direction A position paper: standing up to deficiencies and eliminating the reasons for the breakdown of trust, followed or accompanied by a serious consideration of reform](#)", proposing a solution to the aforementioned challenges. We truly believe that the decline of trust in the justice system and its performance requires immediate and rapid action which cannot bear any delay. This action would be to adopt our proposal at hand and to put it into practice immediately, as well as to initiate a community dialogue which aims at reaching a national consensus on the development and reform of the justice system under a legal system that respects and truly embodies the principle of separation of powers. Basically, we propose that a decree-law be issued, consisting of only one Article:

"A- In spite of what has been stated in any other legislation, those who turn sixty years old may not remain in the position of judge or be appointed as judge. B- Any interference in the work of the judiciary by any person or party shall be prohibited, and any interference in or influence on the work of judges shall be a crime carrying the penalty of imprisonment and dismissal from position if the crime were committed by a public official".

A memo to Dr. Hanan Ashrawi: Decree-Law No. (16) of 2017 on Cybercrime

A legal memo addressing the Decree-Law No. (16) of 2017 on Cybercrime was presented by the Independent Commission for Human Rights (ICHR)- Ombudsman Office, along with the

CSOs who are members of the joint committee for reviewing the decree-law, including MUSAWA, to the PLO Department of Culture and Information. The memo demonstrates the general as well as specific reasons as to why the aforementioned decree-law should be rejected. More details [here](#).

Legal Memos

30/08/2017 – a [memo](#) to the Vice-Chairman and members of the Bar Association in Gaza concerning adapting private and public spaces to meet the needs of people with special needs, based on a written complaint filed at MUSAWA.

10/09/2017 – a [memo](#) to the Attorney General Dia' Al-Madhoun/ Gaza regarding allegations of torture and fair trial violations, in response to a complaint lodged at MUSAWA.

10/09/2017 – a [memo](#) to the Head and members of the administrative committee/ Gaza about the violation of the principle of equality in selecting public officials, in response to a complaint MUSAWA had received earlier.

MUSAWA's Interventions

During September 2017, MUSAWA received 7 legal complaints: delay in the proceedings of the Public Prosecution Office, and arbitrary detention, which were addressed through legal advice; violation of the principle of equality in appointing public officials, allegations of torture and violation of fair trial guarantees, dismissal from appointment as magistrate judge on the basis of sex, all of which MUSAWA has responded-to by sending legal memo to the competent authorities; and finally a complaint about a suicide incident at Gaza's district prosecution building, regarding which MUSAWA issued a [position paper](#) along with other CSOs and legal professionals.

MUSAWA Conducts Training for Lawyers for the Rule of Law Groups



MUSAWA held a training course titled “pleadings before the military justice” for the members of the Lawyers for the Rule of Law Groups at the ICHR in Gaza. The training was facilitated by Advocate Ghada Abed over three consecutive days (19/09 – 21/09). A total of 30 members attended the training, including 5 women. The training included

worksheets and practical exercises in addition to the theoretical aspects. The third day of the training was allocated for a moot court that was presented before the military judiciary.

At the end of the training, the participants gave recommendations to increase the number of training days and do more trainings of the same kind in light of the increasing infringements and violations in this field.

MUSAWA Conducts Internal Training in Gender Mainstreaming



In cooperation with trainer Sahar Al-Qawasmi, expert in the field of Gender Mainstreaming, MUSAWA carried-out a training program to build its staff's capacity in gender mainstreaming. The training was held for two separate days (25/09 and 27/09) at both of MUSAWA's offices, Ramallah and Gaza. This training comes as part of MUSAWA's strategic plan to incorporate gender mainstreaming in all of its programs and policies.

MUSAWA Meets with the OHCHR High Commissioner

On 07/09/2017, a delegation from MUSAWA met with the High Commissioner leading the Office of the High Commissioner for Human Rights (OHCHR) in Palestine to discuss opportunities for joint cooperation in the context of MUSAWA's oversight role on the performance of the justice system and the issuance of legislation, with specific focus on the coming 8th international conference for the Palestinian justice system, which is held by MUSAWA on an annual basis.

Field Visits to the Pillars of Justice

In cooperation with Adv. Sameh Al-Safi, a volunteer at MUSAWA's Gaza office, MUSAWA conducted a series of field visits to the pillars of justice in Gaza throughout the month of September 2017, including Khan Yunis courts complex; Gaza courts complex, the Sharia court and magistrate court of Deir Al-Balah; and the prosecution office. These visits come as part of MUSAWA's oversight role in monitoring law-violations and promoting the rule of law.

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 \(8\) 25/09/2017](#) – The protection of witnesses and informants of corruption crimes. Guest: Ms. Rasha Amarneh, the General Manager of legal affairs at the ICHR.

TV & Radio Interviews

On 10/09/2017, MUSAWA's Legal Monitoring Officer / Gaza's office participated in a [TV interview](#) (Al-Kitab) to talk about MUSAWA's complaints system, with specific focus on how MUSAWA's complaints system meets the needs of persons with disabilities.

On 17/09/2017, Adv. Fadi Al-Qasas, a member of the Lawyers for the Rule of Law Groups (friends of MUSAWA) in Gaza, took part in an [interview](#) on Al-Kufiyyah TV to speak about the same topic. He also made reference to the video created by MUSAWA's volunteers to promote its complaints system, which included sign language.

MUSAWA's Legal and Technical Adviser, Adv. Ibrahim Barghouthi, expressed the views of CSOs regarding the Decree-Law on Cybercrime in a [radio interview](#) (Raya FM), aired on 15/09/2017.

Other Activities

Participating in the committee for defending Judge Abdullah Ghazlan

Following a meeting that was held at MUSAWA's office in Ramallah, bringing together CSOs to discuss the referral of Judge Abdullah Ghazlan to a disciplinary board and unlawfully appointing the Head of the High Judicial Council, it was decided that a defense committee, consisting of a number of lawyers, will be established to defend Judge Ghazlan. MUSAWA took part in the defense committee, which represented the judge before the Supreme Court to challenge the decision of appointing the new Vice-President of the Supreme Court.

Participating in the meeting of the committee assigned by the CSOs to review the Decree-Law on Cybercrime, and draft a memo demonstrating the CSOs' position on the matter. The meeting was held on 06/09/2017. Another meeting was held for the same purpose on 11/09/2017.

Participating in a round table discussion for CSOs and the Bar Association regarding the presidential decree on the establishment of a committee to develop the judiciary. The meeting was held on 07/09/2017, and it discussed the views of the CSOs concerning the reform of the judiciary and the means through which this reform can be achieved.

Participating in the meeting of the national campaign for increasing minimum wage



Represented by its Monitoring and Evaluation Officer, Ruba Bakeer, and Training & Awareness Officer, Adv. Shurooq Abu-Qare', MUSAWA participated in the event for launching three studies titled "An Alternative View to Minimum Wage. The event took place on 12/09/2017 in Ramallah, where the researchers presented the three studies: the legal paper, economic paper and policy paper. The floor was given for the audience to express



their opinions and give their recommendations. Moreover, MUSAWA's Training & Awareness Officer participated in a meeting held by the campaign on 19/09/2017 to discuss the key event to be held on 03/10/2017.

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