



NEWSLETTER

October | 2019

MUSAWA Condemns Ramallah's Magistrate Court Decision to Block 59 Websites

After receiving a copy of Ramallah's Magistrate Court decision to block 59 Palestinian websites, and after publishing a position paper clarifying its merits, MUSAWA- The Palestinian Center for the Independence of the Judiciary and the Legal Profession- demanded to repeal the decree-law amending the Cybercrime law, to reformulate it and issue it as a consensus law approved by the elected Legislative Council in line with the grounds of Human Rights, the Basic Law and the International covenants and conventions. The advocated reformulation shall tie up the security forces' pretexts to use the Cybercrimes law contrary to the constitutional principles, and in ignorance of the requirements of maintaining human rights. In the same context, MUSAWA reiterates the need to reform the justice system following its initiative and away from the dominance of the executive authority in conformity with Naji Al-Ali's position "No to Silencers".

Article 27 of the Palestinian Basic Law

- ESTABLISHMENT OF NEWSPAPERS AND ALL MEDIA MEANS IS A RIGHT FOR ALL, GUARANTEED BY THIS BASIC LAW. THEIR FINANCING RESOURCES SHALL BE SUBJECT TO THE SCRUTINY OF THE LAW.
- FREEDOM OF AUDIO, VISUAL, AND WRITTEN MEDIA, AS WELL AS FREEDOM TO PRINT, PUBLISH, DISTRIBUTE AND TRANSMIT, TOGETHER WITH THE FREEDOM OF INDIVIDUALS WORKING IN THIS FIELD, SHALL BE GUARANTEED BY THE BASIC LAW AND OTHER RELATED LAWS.
- CENSORSHIP OF THE MEDIA SHALL BE PROHIBITED. NO WARNING, SUSPENSION, CONFISCATION, CANCELLATION, OR RESTRICTION SHALL BE IMPOSED UPON THE MEDIA EXCEPT BY LAW, AND PURSUANT TO A JUDICIAL RULING.



Consequent to the collaboration agreement signed by MUSAWA and the Anti- Corruption Commission, Dr. Taleb Awad, the Chairperson of MUSAWA's Bod stated that this collaboration shall encourage the civil society organizations to extend their work on combating corruption.

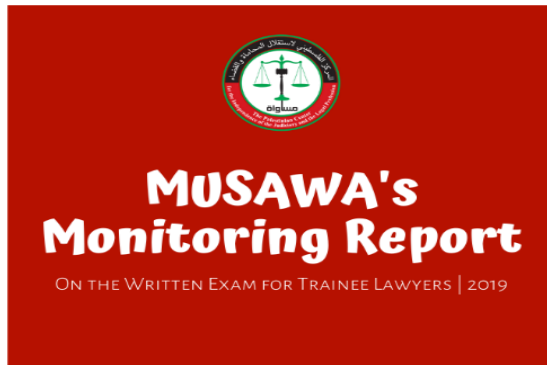


MUSAWA holds two sessions in its offices in Ramallah and Gaza to discuss its latest publications, including "Eye on Justice", "Justice and Law", and the Fifth Legal Monitor Report.



Proceeding from MUSAWA's belief in the principle of transparency, we hereby share with you the external evaluation report on MUSAWA's core program 2016 – 2019 in English. Arabic translation of the report will be published upon completion.

MUSAWA Participates in Monitoring the Written Exam of Trainee Lawyers | 2019

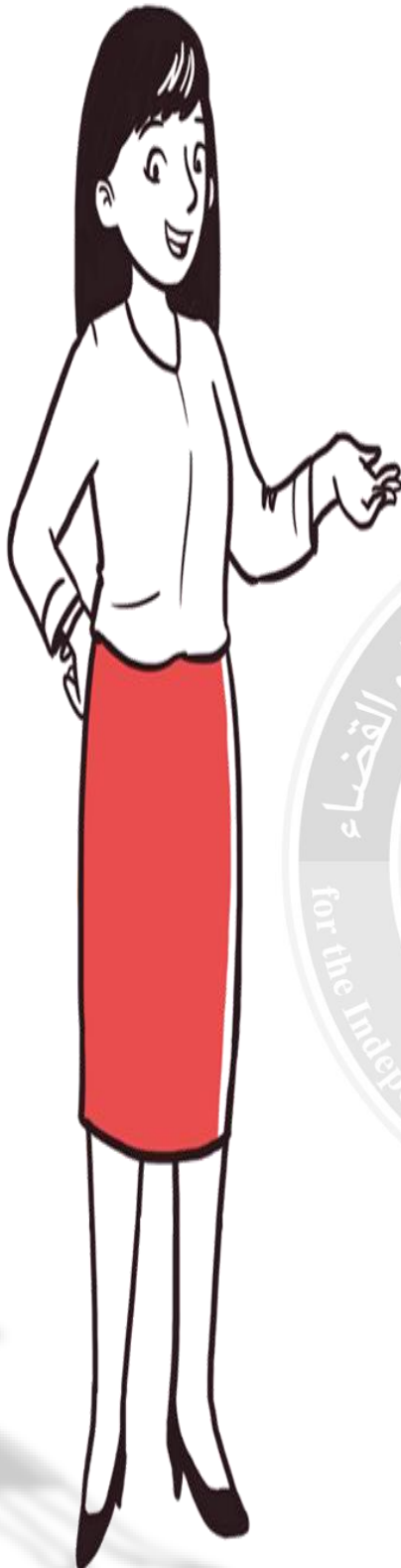


Further to the invitation sent by the Palestinian Bar Association to participate in overseeing the procedures of the trainee lawyers' written exam of 2019, MUSAWA delegated a team to monitor the mentioned exam, which was held on October 20, at the Law, Education, and Arts faculties in Birzeit University. The delegation was headed by the Legal Monitoring Officer, Adv. Angham Mansour, while its membership was shared among seven members of Lawyers for the Rule of Law Group (Friends of MUSAWA), namely: Adv. May Abu-Kahled, Adv. Marwa Shreiteh, Adv. Oday Shaker, Adv. Hamza Shaheen, Adv. Oday Suleiman, Adv. Hadeel Hallasy, and Adv. Rawan Radi. While paying tribute to the positive atmosphere of the exam, which stood convenient, quiet, and organized most of the time. MUSAWA's delegation prepared a report of observations and recommendations in compliance with the missteps that shall be avoided falling into in the future.



Musawa supplemented the legal meeting on administrative appeals and proceedings by another lecture on the practical applications of administrative appeals and proceedings also presented by adv. Ahmad al-sayad, who introduced both revocable and irrevocable administrative decisions, elaborated on the components of revocable administrative decisions, and extensively broke down the components of appeals, the sequence of court sessions, and the roles of both defendants and agents in those sessions.

Legal Memos and Position Papers



1/10/2019 – MUSAWA received a response from the Attorney General to the memo entitled “Refraining from Implementing a Judicial Decision”.

7/10/2019 – **Memo** entitled “MUSAWA Demands the President Not to Approve the Rent Allowance Request Filed by the Head of the Transitional High Judicial Council and Demands Both the Palestinian Anti-Corruption Commission & the State Audit Administrative Control Bureau to Take the Needed Legal Action in its Regard”.

9/10/2019 – **Memo** to the Attorney General and the Head of the Military Judiciary entitled “The Phenomena of Refraining from Implementing Court Rulings and Governor-Ordered Detentions Persist as Means of Avoiding Obedience”.

9/10/2019 – Reminder sent to the Minister of Higher Education and Scientific Research regarding MUSAWA’s memo requesting an equivalency for a master’s degree.

10/10/2019 - **Memo** to the Prime Minister entitled “The Right to Citizenship is a Constitutional Right that Shall Not Be Restricted nor Prejudiced”.

10/10/2019 – MUSAWA received a response from the Attorney General to the memo entitled “Calling the Public Prosecution and the Judicial Body of the Palestinian Security Forces to Take the Needed Actions to Ensure the Implementation of a Judicial Ruling”.

14/10/2019 – MUSAWA received a response from the Military Judiciary to the memo entitled “Calling the Public Prosecution and the Judicial Body of the Palestinian Security Forces to Take the Needed Actions to Ensure the Implementation of a Judicial Ruling”.

19/10/2019 – Reminder sent to the Ministers of Finance regarding MUSAWA’s memo entitled “Affecting the Right to Work in the Public Sector”.

24/10/2019 – **Memo** to the President and Members of the Palestinian Bar Association’s Council entitled “MUSAWA’s Monitoring Report on the Written Exam for Trainee Lawyers 2019”.

24/10/2019 – **Position Paper** entitled “The Decree-Law on Cyber Crimes Shall Be Abolished Immediately”.

28/10/2019 – Reminder sent to the Attorney General regarding MUSAWA’s memo entitled “Refraining from Implementing Judicial Decisions is a Cruel Violation of the Provisions of the Basic law and the Judicial Authority Act that Demands Accountability”.

29/10/2019 – **Memo** to the head of the Judicial Inspection Department entitled “Justice Delays Caused by the Reluctance of Law Enforcement’s Witnesses to Attend Court Sessions”.

29/10/2019 – MUSAWA received a response from the State Audit Administrative Control Bureau to the memo regarding the rent allowance request filed by the president of the transitional high judicial council.

MUSAWA's Interventions

During October, MUSAWA received three complaints on 1) misuse of position, refraining from implementing judicial orders and extortion; 2) discrimination in issuing professional licenses at the Municipality of Gaza; 3) dismissing criminal complaints owing to considering a criminal reconciliation without the knowledge of the complainant. In consideration of the mentioned complaints, MUSAWA sent one legal memo, provided one legal consultation, while one complaint is still being pursued.

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 the available mechanisms to attain them, MUSAWA, along with its volunteering groups and partner CBOs, conducted 13 workshops in the West Bank (Al-Khan Al-Ahmar, Al-Bireh) and in the Gaza Strip (Beit Hanoun, Jabalya Camp, Al-Shoukeh), on the following topics: CEDAW and Children's Rights, bullying and sexual harassment, the right to freedom of expression, the right to equality and the principle of non-discrimination, public rights and freedoms, and the guarantees of due process before trial. 204 participants attended the aforementioned workshops, 91 of them were women, while 80 were children. On the margins of these workshops, several legal consultations were provided to the participants.



MUSAWA's team in Gaza meets the head of the Military Judiciary to investigate the avenues for empowering MUSAWA's oversight role to assure the conservation of the detainee's rights and human dignity.

Field Visits to the Pillars of Justice

In cooperation with the Lawyers for the Rule of Law Group (friends of MUSAWA), a series of field visits to the pillars of justice in the Gaza Strip was carried out, including the Courts Compound, the Justice Palace, the Court of North Gaza, the Court of Khanyounes, Sharia Courts and the Public Prosecution, as part of MUSAWA's role in monitoring and documenting violations in promotion of the rule of law principle. During those visits, several violations were monitored and seven legal consultations were provided.

MUSAWA's Media Appearance | October 2019



17/10/2019 – Sawt Al- Aqsa FM hosts Adv. Momen Al-Hattab, the Legal Awareness & Training Officer at MUSAWA's office in Gaza, to provide legal consultations and answer the queries of listeners live on air.

10/10/2019 –Nissa' FM interviews the General Director, Adv. Ibrahim Barghouti on the rent allowance request filed by the president of the transitional high judicial council.

3/10/2019 - Nissa' FM interviews the General Director, Adv. Ibrahim Barghouti on the recent developments in Israa' Ghayyeb's case.

30/10/2019 – In the Presence of its executive staff alongside a number of the GA and Bod members, MUSAWA conducts a training session on strategic planning.



28/10/2019 - Nissa' FM interviews the General Director, Adv. Ibrahim Barghouti, on the litigation procedures in Israa' Ghayyeb's case.

3/10/2019 - Alam- Hebron FM interviews the General Director, Adv. Ibrahim Barghouti, to highlight the role of CSOs in reforming the judiciary.

Wattan publishes an article written by Mohammad Khader, the constitutional researcher, the professor at Birzeit University, and MUSAWA's GA member, on blocking 59 websites.

Announcement on Requesting Technical and Financial Proposals for Preparing Position Papers on Transitional Justice and Reconciliation

MUSAWA's Partners
2019



The Netherlands
Representative Office to
the Palestinian Authority



Are you finding it difficult to visit our headquarters to file a complaint? MUSAWA's website provides an online complaining system! Give it a try **now!**



Participating in a workshop on alternative means of settling disputes at the invitation of the Ministry of Justice and SAWASYA. The workshop was held on 7/10/2019, and MUSAWA was represented by the General Director, Adv. Ibrahim Al-Barghouti.

Participating in the session of dictating the position papers of the international conference to be held by the Palestinian Anti-Corruption Commission themed Integrity and Governance for Development. The session was held on 1/10/2019, and MUSAWA was represented by the General Director, Adv. Ibrahim Al-Barghouti.

Monitoring the Written Exam for Trainee Lawyers of 2019 held on 20/10/2019. MUSAWA was represented by a monitoring delegation headed by the Legal Monitoring Officer at MUSAWA, Adv. Angham Mansour.

MUSAWA's office in Gaza hosted The Palestine Red Crescent Society, Shashat Woman Cinema Organization and Ajyal Association to screen a documentary covering a Gazan project called "Yalla Nshouf".



Attending a discussion session on the draft report on "Tribal Rehabilitation from a rights-values-and constitutional-based perspective". The session was held at the ICHR headquarters on 22/10/2019. MUSAWA was represented by the Legal Monitoring Officer at MUSAWA, Adv. Angham Mansour.

Visiting an exhibition against the death penalty at the invitation of Shams Center and the OHCHR. The exhibition took place on 10/10/2019, and MUSAWA was represented by the General Director, Adv. Ibrahim Al-Barghouti, and the Legal Awareness & Training Officer, Shorouq Abu-Qare'.



MUSAWA's office in Gaza hosted The Palestine Red Crescent Society and AISHA Organization to conduct a workshop on the protection of women and children.

Meeting the Chairperson of the Central Electoral Commission to discuss the plans for elections. The meeting was held on 15/10/2019, and MUSAWA was represented by the General Director, Adv. Ibrahim Al-Barghouti.



Participating in a workshop on the individual complaints procedures under the international human rights conventions. The workshop was held on 21/10/2019, and MUSAWA was represented by the Legal Monitoring Officer at MUSAWA, Adv. Angham Mansour.

Meeting the director of Passport Service at the Ministry of the Interior to discuss a complaint filed by a citizen deprived of renewing his passport. The meeting was held on 29/10/2019, and MUSAWA was represented by the General Director, Adv. Ibrahim Al-Barghouti, and the Legal Monitoring Officer at MUSAWA, Adv. Angham Mansour.