



NEWSLETTER

September 2019

Success Story | The Legislative Council in Gaza Adopts MUSAWA's Recommendations Regarding the Militarization of Police



At the backdrop of MUSAWA's memo and the round table held in Gaza on the militarization of the police and its implications on the right to access to justice, the Legislative Council amended the Military Justice Act of 2008, particularly the provisions of article 63, which has subjected the civilian police to the military judiciary in case any of its officers committed violations or crimes related to their functional capacities, article 96 of the same law, and article 54 of the Code of Criminal Procedure, in compliance with the competences of this type of the Military Judiciary and in conformity to the Basic Law fundamentals and the principles of justice in a manner that shall settle the dispute between the Civil and Military Judiciaries, resolve their issue of overlapping jurisdictions, preserves the citizens' rights and freedoms, and guarantee the community's safety and security. [Read More.](#)

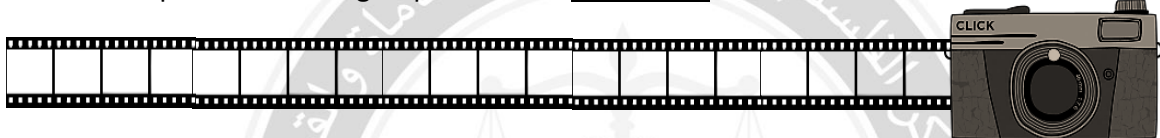
The Murder of Israa' Gharib is a Disgrace to the Palestinian Community and an Expression of Women Subjugation Culture Embraced by the Blinkered Feudal Patriarchal System

Based upon its understanding of the crises, MUSAWA demanded accelerating the investigation procedures in the conditions and circumstances of the murder, announcing its outcomes to the public, accounting the murder perpetrators, contributors and those who justify it, including the charlatanism and witchcraft advocates, and taking the actions and policies needed for developing the legislation and promoting the equality culture in all levels, mainly in education, legislation, and management; to address the reasons for such crimes. [Read More.](#)



MUSAWA Holds Legal Meeting on Administrative Appeals & Proceedings

On 26/9/2019, MUSAWA's office in Ramallah hosted Adv. Ahmad Al-Sayyad to lecture about administrative appeals and proceedings. During the meeting, Al-Sayyad introduced the status of the Palestinian Judicial System, defined the Administrative Appeal and identified the jurisdictions of the Supreme Court of Justice, elaborated on the definition, requirements, defects, and types of administrative decisions, illustrated the Supreme Court of Justice' requirements for Special Power of Attorney, and discussed other topics related to legal practical applications, then went on to answer the questions and themes of discussion raised by the attendee lawyers. The meeting joined 14 lawyers of the members of the Lawyers for the Rule of Law Group and non-core group members. [Read More](#).



MUSAWA Organizes Legal Meeting on Legal Regulations of Media



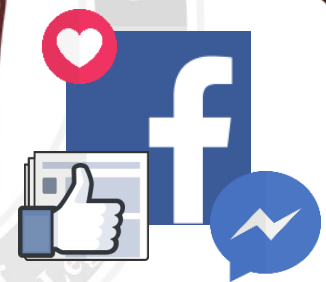
In cooperation with the Law faculty at Gaza University "Legal Clinic" and the Journalists Rights Advocating Associate, MUSAWA's office in Gaza held a legal meeting on the Legal Regulations of Media, targeting a group of academics and students of Law and Media faculties. The meeting, which was attended by 50 participants, half of them were female, hosted several judicial and media speakers, who shed light on several axes, mainly the legal control, and the rights of journalists. The meeting produced many recommendations, including providing training programs of occupational safety and enhancing freedom of the media provided by the law. [Read More](#).

MUSAWA Participates in Observing the Written Exam of the Judicial Recruitment Competition to Appoint Magistrate Judges

While taking into consideration that the decree-laws No 16 and 17 of 2019 are still in force, and out of its duty to monitor the performance of the Official Justice System, MUSAWA has responded to the memo sent on 4/9/2019 by the Judicial Competition Commission, in which the commission invited MUSAWA to monitor the written exam of the Judicial Recruitment Competition for Appointing Magistrate Judges, by assigning a monitoring team headed by the Legal Monitoring Officer at MUSAWA, Adv. Angham Mansour, and the membership of Adv. Banan Tantour and Adv. Rawan Radi, members of Lawyers For the Rule Of Law Group (Friends of MUSAWA). On 8/9/2019, MUSAWA's Monitoring team visited the exam halls at Birzeit University, where the head of the team recognized the opportunity to interview the Head of the Judicial Recruitment Commissions and included its highlights in the preamble of her oversight report. Further in its report, MUSAWA's monitoring team stated some observations, including the official observers' approach to deal with cheating by settling to redistributing the examinees' seats, and excluding women from the membership of the official monitoring team, not to mention the illegal way of sealing and signing the exam papers. The report concludes with several recommendations including empowering the women's participation in all committees of judicial recruitment competitions and adhering to the controls of sealing and signing exam papers as a way of ensuring the judicial competition's integrity and transparency. [Read More.](#)

MUSAWA Meets the Minister of Social Development

- MUSAWA's General Director, Adv. Ibrahim Barghouti, and the Minister of Social Development, Dr. Ahmad Majdalani, have met on 11/9/2019, to discuss the ways to enhance cooperation between MUSAWA and the Ministry, in the framework of operationalizing legal and judicial aid provided to GBV women, and examining the status and development of such aids, ensuring its inclusiveness and the seriousness of its role in protecting women's rights provided by the Palestinian Legislation and the related international covenants, which shall contribute to achieving the National Plan of Development.



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Legal Memos and Position Papers

1/9/2019 – Statement on the Bar Association's Demand to Subject the Judges' Performance to Evaluation and Accountability.

5/9/2019 – Position Paper entitled “West Bank and Gaza Strip CSOs' Demands Regarding the Judiciary and Justice Sector Reform”.

9/9/2010 – Memo to the Attorney General/ Gaza, entitled “Causing Shoulder Dystocia during Childbirth Requires Investigation and Accountability If Proven to Be Caused by Malpractice”.

10/9/2019 – Memo to the Head of the Judicial Recruitment Commission including MUSAWA's Oversight Report on the Written Exam of the Judicial Recruitment Competition For Appointing Magistrate Judges.

17/9/2019 – Memo to the Minister of Finance, entitled “Affecting the Right to Work in the Public Sector”.

24/9/2019 – Memo to the President, entitled “Calling the Palestinian Presidency to Discard the Draft Decree-law of 2019 amending the Judicial Authority Act”.

1/9/2019 – Position Paper on the Murder of Israa' Ghrayyeb.

8/9/2019 – Memo to the Attorney General/ Gaza, entitled “Perpetrators of Torture Crimes Shall not Escape Administrative and Criminal Accountability”.

10/9/2019 – MUSAWA received three positive responses to three complaints from the Grievances and Human Rights Department at the Palestinian Police.

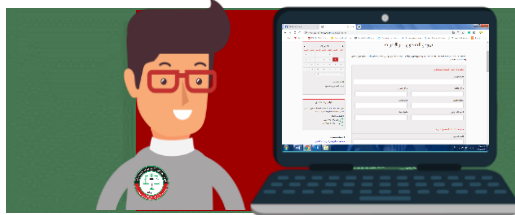
12/9/2019 – Position paper entitled “The Constitutional Court's Decision to Legalize Decree-Law No. (17) Of 2019 on establishing a Transitional High Judicial Council is a Great Mistake that Impedes Efforts of Reform”.

24/9/2019 – Memo to the Attorney General, 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”.

30/9/2019 – Memo to the Attorney General and the Civil Judiciary, entitled “Women's Access to Justice is A Constitutional Right That shall be Observed and Implemented”.

MUSAWA's Interventions

During September, MUSAWA received seven complaints on delaying litigation proceedings, inheritance rights, refraining from implementing a judicial decision, travel ban, prohibited from obtaining a passport, refusal to receive a complaint, father-taunting children in mother's custody. In consideration of the mentioned complaints, MUSAWA sent three legal, provided three legal consultations, while one complaint is yet to be followed up.



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!**

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-Dheisheh Refugee Camp, Taqqou', Qalqilya, and Kofor Ne'meh) and in the Gaza Strip (Al-Zaitoon, Khoza'a , Qa' Al-Qrein, Jabalya, Beit Lahia, Khanyounus, Hayy Al-Daraj), on the following topics: Women's Sharia Rights in marriage and divorce, legal Problematics, the Rule of law and justice for all, the right to access to justice, the rights of PWDs, the right to equality before the law, Women's Sharia Rights and Legal Aid, combating violence against women, advocacy on the good governance concepts. 283 participants attended the aforementioned workshops, 252 of them were women, who received several legal consultations.



Field Visits to the Pillars of Justice

In cooperation with the Lawyers for the Rule of Law Group (friends of MUSAWA), MUSAWA carried-out a series of field visits to the pillars of justice in the Gaza Strip, including the courts compound, the justice palace, the Ministry of Development, and the Sharia Courts, 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 16 legal consultations were provided.

MUSAWA Meets the Secretary of the Attorney General Department in Gaza

On 7/9/2019, the Legal Monitoring Officer in Gaza, Adv. Rula Musa, met the secretary of the Attorney General, Adv. Mohammad Murad, to discuss several issues, including the Subjugating Custody, the Public Prosecution monitoring role over the implementation of imprisonment orders, the violations listed in Eye On Justice under "Is It True" section, and the responses to the memo filed by Othman Shbeir, whose investigation proceedings were terminated since 9 months. The meeting resulted in including MUSAWA to the Internal Commission for Addressing the Phenomenon of Child Begging Gangs in Gaza, to provide legal assistance and raise awareness. In conclusion, both parties agreed on having similar meetings regularly for their role in addressing complaints and violations monitored by MUSAWA's Monitoring Team in Gaza.



MUSAWA Organizes Legal Meeting on Governance



On 1/9/2019, MUSAWA organized a legal meeting on "The Governance law and Principles, and the Requirement of Disclosure and Transparency". The meeting's theme was presented by Dr. Rami Al-Sweiti, the Part-time Trade Law Professor at the Arab American University, and a member of Lawyers for the Rule of Law Group, who addressed the governance definition, laws, and principles governing it, besides touching upon its novelty at the Palestinian Community, which is in need for activating it and developing its principles, turning to the requirements of disclosure and transparency. In its turn, the audience, consisting of 10 lawyers, 6 of them were female; most of them are members of Lawyers for the Rule of Law Group, discussed the addressed topics with the speaker and raised related questions.

MUSAWA's Media Appearance | September 2019



1/9/2019 – Nissa' FM interviews the member of Lawyers for the Rule of Law Group, Adv. Majeda Awajnah, to discuss the children's custody after divorce.



25/9/2019 – Nissa' FM interviews the General Director, Adv. Ibrahim Barghouti', on releasing charlatanism advocates.

Wattan Publishes MUSAWA's Position Paper on Calling the Palestinian Presidency to Discard the Draft Decree-law of 2019 Amending the Judicial Authority Act.

4/9/2019 – Al-Ray FM interviews the Legal Awareness & Training Officer, Adv. Momen Al-Hattab, to talk about the recommendations made by the participants in MUSAWA's workshops.



2/9/2019 – Al-Hadath Newspaper Interviews the General Director, Adv. Ibrahim Barghouti, concerning the Feminist Movement for Israa' Gharyyeb.

15/9/2019 – Nissa' FM interviews the General Director, Adv. Ibrahim Barghouti', on the recent developments in Israa' Gharyyeb's case.

19/9/2019 – Alam- Hebron FM interviews the General Director, Adv. Ibrahim Barghouti', to highlight the Justice status quo.

12/9/2019 – Nissa FM Interviews the General Director, Adv. Ibrahim Barghouti', on the Forensic Department.

Do not miss MUSAWA's latest videos on the fifth legal Monitor Report, E17, E18, and E19.



On 25/9/2019, the southern sub-group of the Lawyers for the Rule of Law Group held a meeting in Bethlehem, to discuss the current and future status of the group, trace the impediments to document the greatest possible number of violations committed within the Southern Justice System, and suggest ways to overcome those obstacles. After that, the group deliberated on a number of violations that happen regularly in courts. The meeting was held at the office of Adv. Bishara Nazzal in Beit Jala, and it was attended by 8 group members, including 6 female lawyers.

16/9/2019 – During a phone interview with Al-Najah TV, the General Director, Adv. Ibrahim Barghouti' commented on the Presidential decision to refer 20 judges to early retirement.

MUSAWA's
Partners
2019



The Netherlands
Representative Office to
the Palestinian Authority

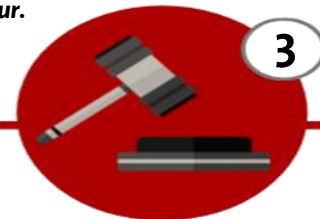
Other Activities



1
Attending a discussion session on an accountability report on the independence, impartiality, and effectiveness of the bodies advocating the implementation of the right to peaceful assembly. MUSAWA was represented by the Legal Monitoring Officer, Adv. Angham Mansour.



2
Attending a meeting on IM Sweden's future action strategy in Palestine. The meeting was held on 19/9/2019 and MUSAWA was represented by both the Financial Manager, Marina Qaqish, and the PR Officer, Diab Zayed.



3
Participating in three meetings held by the Justice Sector Working Group, within the National Team to the realization of Goal 16 of the sustainable development goals. MUSAWA was represented by the General Director, Adv. Ibrahim Al-Barghouti.



4
The Legal Awareness & Training Officer in Gaza, Adv. Momen Al-Hattab, Met the dean of the Law Faculty at Al-Israa University on 24/9/2019 to discuss implementing joint activities in the future.



5
Meeting the Anti-Corruption Commission to discuss the content of their envisaged Memorandum of Understanding. The meeting was held on 11/9/2019, while MUSAWA was represented by the General Director, Adv. Ibrahim Al-Barghouti.



6
The Legal Awareness & Training Officer, Adv. Shurooq Abu-Qare', and the General Director, Adv. Ibrahim Al-Barghouti participated in a training for the Rule of Law and Access to justice Group within the National Team to the realization of Goal 16 of the sustainable development goals.



7
Participating in a workshop on institutional planning based on human rights approach, held by the National Team to the realization of Goal 16 of the sustainable development goals. The workshop was organized by the OHCHR on 23/9/2019. MUSAWA was represented by the Executive Director, Ahlam Tarayra.