



NEWSLETTER

February 2019

Against Banning Media from Documenting Trial Proceedings

Following the banning of media from covering the proceedings of a trial before the Supreme Court of Justice and broadcasting it to the public, and the prejudice to the human rights and the Basic Law, MUSAWA- The Palestinian Center for the Independence of the Judiciary and the Legal Profession issued a [position paper](#) entitled “Public Court Hearing is a Constitutional Right and Infringing it Requires Accountability”, in which the center expressed its shock at the jury’s decision, as this prevention reflects a violation of the constitutional rights of citizens, and a deviation from the nature of the judicial position which is supposed to be a right of the public, not a privilege or a power owned by its employees, and in which MUSAWA demanded conducting an independent and neutral investigation into the mentioned decision, taking the needed legal action in that regard, holding the individuals who contributed to violating citizens’ rights accountable, and compensating the individuals and bodies affected by these decisions and actions duly.

Position Paper

On 5/2/2019, MUSAWA - The Palestinian Center for the Independence of the Judiciary and the Legal Profession issued a [position paper](#) entitled “MUSAWA Renews its Demand to Cancel the Security Clearance Procedure and to Assess the Legitimacy of the High Judicial Council's Composition and the Legality of its Resolutions”.

MUSAWA Cautions against Militarizing the Police in Gaza

According to the complaints, memos, and the follow-up, there are legislative issues and obstacles caused by issuing and enforcing the Code of Military Justice No 4 of 2008 in the southern governorates, which, in paragraph three of its 63rd article, has subjected the civilian police to the military judiciary in case any of its officers committed violations or crimes within their functional capacity, MUSAWA issued a [position paper](#) entitled “Issues and Obstacles Affecting Citizens' Right to Access to Justice Must be Addressed Immediately”, in which it identified these obstacles and the threat they represent against civil peace and community stability.

Relocating MUSAWA’s Office in Gaza



MUSAWA announces relocating its office in Gaza! You are welcome to visit our new office located in Al-Nasr St, Building No 8108, facing Cristal Asfour –formerly-, next to the Palestinian Crescent Authority for Relief and Development – Arab Women’s Fund. The New Fax and phone number is 08- 287 4344

Legal Memos

MUSAWA's Interventions

During February, MUSAWA has received four complaints on 1) Inequality in public service appointments; 2) Refraining from executing a judicial ruling; 3) Refraining from executing a judicial decision and unlawful detention; 4) Detention into obedience. MUSAWA provided a legal consultation regarding the first complaint, and sent two memos to the competent official bodies regarding the other two memos, while the fourth is still being followed up.

5/2/2019 – [Legal Memo](#) sent to the Acting Deputy Attorney General, entitled “Refraining from Executing a Judicial Decision and Unlawful Detention”.

7/2/2019 – [Legal memo](#) sent to the Grievance and Human Rights Department at the Palestinian Police, entitled “Refraining from Implementing a Judicial Decision”.

10/2/2019 – Reminder memo sent to the Minister of Higher Education regarding our memo on a master’s degree equivalence.

11/2/2019 – [Legal Memo](#) sent to the president of the Palestinian Bar’s Association in Gaza, entitled “Legal Profession is a Liberal Profession that Carries a Societal Vision”.

MUSAWA Awards the Winners of the Short Video Competition in Gaza

With the attendance of Adv. Islah Hasaneyya, MUSAWA’s Board member, and the jury that consists of the media specialist, Ansam Al-Qattaa’, Adv. Faraj Al-Shorafa and Adv. Kamal Hjazai, MUSAWA awarded the two winning teams of the short video competition. The first rank was shared by Adv. Mohammad Al-Dahdouh’s team, and the team of Adv. Kawthar Seder and Adv. Mo’men Al-Natour, who all are members of the Lawyers for the Rule of Law groups (Friends of MUSAWA) and the Palestinian Human Rights Defenders Network.

MUSAWA has previously announced the winner teams by the end of December, noting that the competition aimed at producing videos that shed light on a crises or a complex legal phenomenon that is in urgent need for addressing and accountability, and thus tackling the need to deliver a core message to the decision makers and duty bearers, and to raise the community’s legal awareness concerning that phenomenon or crises. It is worth mentioning that the two winning videos were on the legal responsibility for medical errors.





Field Monitoring Visits to the Pillars of Justice

In cooperation with the Lawyers for the Rule of Law Groups (friends of MUSAWA), MUSAWA carried-out a series of field visits to the pillars of justice in the Gaza Strip, including the Juvenile's Court, Gaza's Court Compound "The courthouse", and in the West Bank: Military Court in Nablus, the Supreme Court of Justice and the Judicial court in Ramallah, The Regular Court of Nablus, the Regular and Military Courts in Tulkarem, the Regular Court in Jenin, the Regular, Shariah, and Military courts in Salfit, the Regular Court of Bethlehem, the Shariah Court of Birzeit, the Magistrate's Court in Halhoul, the District Court of Hebron, the Regular, Shariah, and Military courts in Jericho, the Magistrate Court of Dura-Hebron, and Yatta's Magistrate Court. These visits come as part of MUSAWA's work as a watchdog organization which monitors law violations and promotes the rule of law.

In addition, the Legal Monitoring Officer in Gaza has participated in a meeting with the Attorney General, in which they discussed a plan to combat torture. Within the same context, MUSAWA has pursued the trial of Hajar Harb, a journalist who was arrested for preparing an investigative report on the corruption of a governmental department, the final news reported by MUSAWA's representative, is delaying the trial session to the seventh of March.

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, as well as building the capacities of young lawyers and law students MUSAWA along with its volunteers' network and partner associations/ organizations, conducted two awareness workshops in the West Bank (Al-Dheisheh Camp- Betlehem), and two workshops in the Gaza Strip (Al-Shate' Camp, and Hayy Al-Zaitoon). The workshops discussed the women's Shariah rights, combating violence against women, access to justice, and the procedures of a fair trial. 66 people participated in the workshops, 33 among them were women. On the margins of these workshops, 15 legal advice were provided to the audience.

Media Interviews

2/2/2019 – [TV interview](#) about the results of the Fifth Legal Monitor Report. (General Director Adv. Ibrahim Barghouthi / Palestine TV), and on 6/2/2019, a [radio interview](#) on the same regard. (General Director, Adv. Ibrahim Barghouthi / Alam- Hebron).

10/2/2019 – [Radio interview](#) about the results of the Fifth Legal Monitor Report. (The Interview brought together the General Director, Adv. Ibrahim Barghouthi, Adviser. Nafeth Al-Madhoun, the Secretary-General of the Legislative Council in Gaza, and Dr. Tareq Al-Deirawi, the professor of criminal law at AL-Israa University in Gaza /Al-Ra'y radio -Gaza).



11/2/2019 – [A radio panel discussion](#) about the statement of the Judges’ assembly on the relationship between Media and the Judiciary. (General Director, Adv. Ibrahim Barghouthi / Judge Mohammad Al-Ajlouni, the Judges’ Assembly vice president and the president of Hebron’s District Court / Nissaa FM).

19/2/2019 – [Media interview](#) about the results of the Fifth Legal Monitor Report. (General Director Adv. Ibrahim Barghouthi / Al-Mashreq newspaper).

26/2/2019 – [Media Interview](#) about the capital punishment. (General Director Adv. Ibrahim Barghouthi / the Independent newspaper in Arabic).

27/2/2019 – Radio Interview about the Public Court Hearing as a constitutional right. (General Director Adv. Ibrahim Barghouthi / Ajyal Radio).

28/2/2019 – Radio Interview about the presidential decree on mandating the Office of Financial & Administrative Supervision to monitor the financial and administrative work of the High Judicial Council and the Public Prosecution. (General Director Adv. Ibrahim Barghouthi / Alam - Hebron).

Other Activities

Participating in a round table meeting entitled “The Situation of Palestinian and Arab Prisoners in the Israeli Prisons and the Position of the International Law”. The meeting was organized by the Palestinian Bar’s Association in Gaza on 4/2/2019. MUSAWA was represented by the Legal Awareness & Training Officer / Gaza, Adv. Momen Al-Hattab.

Participating in a meeting with an international expert in Arabic commentaries on Geneva conventions, the meeting was held at Al-Haq Headquarter on 12/2/2019. MUSAWA was represented by the General Director, Adv. Ibraheem Al-Barghouthi.

Attending a workshop entitled “Presentation of the poll result of the Palestinian Public’s tendencies towards the mechanisms of dealing with conflicts”, at the invitation of Taawon for conflict resolution, on 14/2/2019. MUSAWA was represented by the Legal Monitoring Officer, Adv. Angham Mansour.

Participating in a meeting of the national team to achieve goal No 16 of the International Sustainable Development Goals of 2030, on 14/2/2019. MUSAWA was represented by the General Director, Adv. Ibraheem’ Al-Barghouthi.

Participating in a training in the statistical program SPSS, which was organized by SAWASYA, on the 18th-19th/2/2019. MUSAWA was represented by the Finance Manager, Marina Qaqish, and the Legal Monitoring Officer, Adv. Angham Mansour.



Participating in a workshop entitled “The role of media and rights organizations in supporting freelance journalists”, on 20/2/2019. The workshop was held in the Press-House Palestine Organization in Gaza. MUSAWA was represented by the Legal Monitoring Officer / Gaza, Adv. Rula Mousa.

Participating in a conference entitled “Funding associations in the lights of changing international, regional, and national circumstances, the tendencies, and strategies”. The conference was organized by Al-Dameer Association for Human Rights in Gaza, on 20/2/2019. MUSAWA was represented by the Legal Awareness Officer / Gaza, Adv. Momen Al-Hattab.

Volunteering at “Injaz Palestine” program to conduct a training workshop entitled “The Work Ethics”, which was held in Palestine Technical University Kadoorei- Ramallah’s office, on 23/2/2019. The workshop was carried out by MUSAWA’s Human Resources Officer, Khalil Rantissi, with the attendee of 70 students.



Participating in the conference of Civil Peace and the Rule of Law, organized by the national coalition to strengthen civil peace, on 25/2/2019 in Ramallah. MUSAWA was represented by the Legal Monitoring Officer, Adv. Angham Mansour.

Participating in a meeting with SAWASYA Program to discuss a concept paper entitled “The Advocacy for Reforming the Justice sector through Consultation and Inclusive Mobilization: A Work Plan”, on 27/2/2019. MUSAWA was represented by bot the General Director, Adv. Ibraheem AL-Barghouthi, and the Executive Director, Ahlam Tarayra.

MUSAWA's
Partners
2019



The Netherlands
Representative Office to
the Palestinian Authority