



Quarterly Newsletter

Jan.-March 2023

MUSAWA publishes issue No. 42 of the Justice and Law magazine and Issue No. 30 of Eye on Justice Gazette

“Whoever deviates from the constitution's purpose and provisions will not be welcomed in the history books.” Were the concluding words of Fathi Fikry, professor of public law at the Law faculty in Cairo University, during his commentary on the Decree-law No. 13 of the Year 2022 regarding the administrative courts, titled as “Implementation of constitutional rule amidst an incomplete reform and a focus on expanding the president's powers”. It was published in

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the [Justice and Law magazine issue 42](#), and it served, along with [Eye on Justice Gazette issue 30](#), as the culmination of MUSAWA's 2022 activities.

Issue No. 42 of Justice and Law magazine is 140 medium-sized pages containing 5 commentaries on decree-laws. The first two are about the administrative courts and its fees, by Dr. Mohammad Abd al Fattah Abd al Ber (associate advisor to the Egyptian State Council), along with the jurist, Dr. Fathi Fikry, and Dr. Salim Hathamleh (Vice-chancellor of the International Islamic Sciences University and Professor of Postgraduate Studies at the Department of Comparative Law in Jordan).

The third one, by Dr. Mustafa Qasim (a presiding judge in Egypt) and the law professor Mohammad Rashdan from Jordan, pertains to the amendment of the 2005 execution law No. 23.

The fourth relates to the amendment of the Criminal Procedures Law No. (3) of 2001, submitted by counselor Dr. Abdel Aziz Mohammed Salman, Vice President of the Egyptian Supreme Constitutional Court, which included, among other things, that "The first step in defending rights and freedoms is understanding that they should only be regulated by law, not by a lesser instrument, and that a decree-law is unsuitable for governing important issues like those relating to the judicial authority, and the rights and freedoms. Also, the decree-law cannot serve as a long-term means of exercising legislative power and it should be issued under an existing constitutional system." He wondered, "Can one be detained for a longer period than that of the crime for which he is being held?", and added that "This is completely illegal and unconstitutional as it infringes on personal freedom, violates the presumption of innocence principle, and equates between remand detainees and convicts. The convicted individual is even in a better position considering that all trial procedures have been completed and he is aware of his crime and the court's verdict. We must never forget that preventive detention is an exceptional measure used against an innocent person to ensure that the investigation can proceed freely and without obstruction, and that this measure, dictated by the state of necessity, must be carried out within the limits and to the extent of that necessity, and not as a punishment, and it may not exceed the period set forth for the crime for which he is being detained". Dr. Abd Alqader Jaradeh from Gaza also offered his commentary on this matter.

The 5th one is about Decree-law No. (11) 2022 pertaining to state lawsuits, by Dr. Rifa't Eid (Professor of public law at the faculty of law at Cairo University). This special chapter on legal dialogues addressed whether legislation can be repealed or suspended, and the ways to do so.

Issue No. (30) of the Eye on Justice Gazette is printed on 66 large-sized pages, documenting the violations of the rule of law and infringements on rights and freedoms, as well as MUSAWA's role in monitoring, documenting, and following up on these violations that affected several aspects of citizens' life and denied many of their civil, political, economic, social and cultural constitutional rights. MUSAWA also reports on the judiciary's daily work and performance, as well as any violations of case management requirements and the right of access to justice, not to mention all the statements and position papers issued by MUSAWA regarding any legislation affecting the right to litigation, such as the amended schedule of court fees issued by the Cabinet, the investment of the execution department deposits for the benefit of the public treasure and the High Judicial Council in order to take possession of private funds, the decree-law on VAT, and the

Decree-law amending the code of judicial conduct. This issue also included the Community Committee to End the Division's demands that all undersigned parties immediately fulfill the requirements outlined in the Algeria Declaration, most notably the outcomes of the 10th Palestinian Justice Conference and the main findings illustrated in the 6th Legal Monitor, which depicts citizens' attitudes toward the official justice system.

MUSAWA holds the National Conference "Transitional Justice: The key to guaranteeing the success of national efforts for reconciliation"

25-02-2023 MUSAWA -The Palestinian Center for the Independence of the Judiciary and the Legal Profession, held in cooperation with the community committee a national conference on 25/02/2023 at the Red Crescent Society in Ramallah and the Roots



hotel in Gaza via video conference. Palestinian political parties and factions, non-partisans, civil society organizations, politicians, academics, intellectuals, former and current officials, human rights activists, jurists, businessmen, unionists, mukhtars, and university students all attended the conference, as did a large number of Palestinian women. Several faction representatives gave a speech, followed by a speech by the community committee to end the division, and the opening session concluded with MUSAWA's speech.

The first session discussed many papers related to the success odds of transitional justice in the Palestinian context, the public's role in achieving reconciliation, prosecution, providing remedy and redress to victims, truth committees, institutional reform and commemoration.

The second session focused on the experiences of the Arab world in transitional justice such as Libya, Iraq, and Algeria, and all the lessons learned.

The participants expressed their complete refusal of the continuation of the abhorrent division for over 15 years, which led to catastrophic effects on the Palestinian Cause, the struggle of the Palestinian people, the Escalation of the occupation, and the increase in attacks on Jerusalem and the blessed

Al-Aqsa Mosque, as well as all the negative effects on the political, economic, social, and human rights levels.

The participants called to immediately end the division and join hands in fighting the Far-right Israeli government and the terrorism of the settlers and the IDF. The participants also stressed the need to start implementing the provisions of the Algeria Declaration to End the Division (2022), and all the previously signed agreements such as The First Cairo Agreement (2005), The National Conciliation Agreement (2006), The Mecca Agreement (2007), Sana'a Agreement (2008), The Cairo Agreement (2011), The Gaza Agreement (2014), The Cairo



Agreement (2017), Memorandums of Understanding (2020), and The Cairo Dialogue (2021), in addition to reminding of the Private Sector Initiative (2006) and Prisoners Agreements in the same year.

The participants condemned the failure to implement any of the aforementioned agreements, called for genuine political will to end the division, and adopted the Algeria Declaration as the way to implementing the agreements.

They emphasized that the abhorrent division is like a second Balfour that we create by ourselves, causing disastrous effects that eliminate the Palestinian Cause and weaken the struggle of our people. They also called on all segments of the Palestinian people in the homeland and diaspora to continue their initiatives and activities lobbying both sides of the division in the West Bank and Gaza until the division is ended.

Moreover, they requested that Palestinian factions and Independent people hold a conclusive national dialogue, expressing their gratitude to the Algerian government for their willingness to host it, in hopes

of reaching a unified national struggle strategy and a political agenda founded on a full partnership, that meets all the transitional justice standards, to protect the national project and move forward in the fight for freedom and independence. They also emphasized that the people are the source of authority and that The Basic Law is a constitutional reference that should be respected and abided by all. The participants expressed their intent to form a follow-up committee to monitor the implementation of the conference resolutions.

Following the conference, 4 Transitional Justice committees were formed which are the Truth & Accountability committee, the Remedy & Redress committee, the Institutional Reform committee, in addition to the Follow-Up committee made up of 8 member and that commenced its 1st meeting on 13/03/2023, followed up by a meeting for all 4 committees in Gaza & West Bank, as well as separate meeting for each committee.

[The conference closing statement](#)

MUSAWA organizes a number of sessions in the WBG regarding “The impact of legislations issued during the division on the rights of women and children”

March MUSAWA with direct support from “Sawasya II: Promoting the Rule of Law in the State of Palestine” organized two training sessions in Jericho and northern Gaza, and two roundtable discussions in Nablus and Gaza, titled “The Impact of Legislations Issued During the Division on Women and Children’s Rights”. This comes after the publication of a study by MUSAWA addressing the legislative vision and the official and civil applied policy for gender equality, and serves as a continuation of MUSAWA’s training sessions and roundtable discussions last year.

The first roundtable discussion was held in Nablus on 3/18/2023 in collaboration with the Seeds Association for Development and Culture, and the second one took place in Gaza on 3/9/2023 at MUSAWA’s office, led by Adv. Faten Harb, as 84 participants participated in the two meetings. The training took place in Jericho on March 19th and 20th, 2023, in collaboration with the Jericho Women Charitable Society, and was led by the Adv. Manar Masri, as well as in northern Gaza on March 19th and 20th, 2023, led by Adv. Khalil Shaheen and Adv. Kawthar Sidr, with 47 participants.

The most notable recommendations of the sessions: Emphasizing how crucial and effective women’s roles are in fostering civil peace and national unity through collective pressure to end the political division and establish a democratic governance system that upholds equality and prohibits discrimination, in addition to demanding the adaptation of the Decree-law No. (1) of 2021 on Elections and the

Local Council Elections Law of 2005 to ensure that women's representation is no less than 30%.

The Participants emphasized the importance of political parties adhering to codes of conduct regarding women's representation in order to increase women's political participation, as well as the need to implement oversight and punitive mechanisms in response to certain practices that perpetuate discrimination against women or work to marginalize their role in the democratic and electoral processes, such as concealing the images and names of female candidates on electoral lists and limiting their



involvement in decision-making. They also called for the abolition of all forms of exploitation of women, such as assigning them a perfunctory role solely for the purpose of achieving the minimum level of female representation on electoral lists, without any actual involvement in decision-making.

They advocated for the adoption of mechanisms that protect working women from labor exploitation so as to ensure their job security, the elimination of all forms of gender-based discrimination in the workplace, and the implementation of the principle of equal pay for equal work. They also called for extending the mother's right to custody until her child reaches 18 to ensure the child's best interests, as well as demanding equal custody rights between a widow and a divorcee, raising the minimum age of marriage to 18, and abolishing the judge's discretionary power to marry off underage girls, with the aim of ending underage marriage, which is a contributing factor to the increasing violence against women.

The participants highlighted the significance of committing to free primary, middle, and secondary education for both boys and girls, as well as implementing accountability and monitoring mechanisms to ensure that kindergarten teachers and others are not paid less than the minimum wage and are free from economic oppression.

MUSAWA will continue to advocate for the rights of women, children, and people with disabilities so that they can make the transition from marginalization to social inclusion and empowerment, thereby enhancing their lives and paving the way for a brighter future. [A link to the study](#)

Episodes [1](#) + [2](#) of Eye on Justice program discussing the impact of legislations issued during the division on the rights of women and children

MUSAWA also launched an [advocacy and awareness campaign](#) about the impact of legislation and decisions issued during the division on the rights of women and children, in collaboration with Sawasysa II: Promoting the Rule of Law in the State of Palestine. So far, the campaign has included a number of awareness-raising sessions, roundtable discussions, and workshops, as well as explanatory videos that addressed the most prominent of these laws and explained their impact in a simple and concise manner.

[Legislations regarding Work and Economy](#)

[The Personal Status Law regarding the age of marriage](#)
[Penal Reconciliation Law](#)

[Legislations on Health rights for people with disabilities](#)

[The Personal Status Law regarding divorce](#)

[The Personal Status Law regarding custody](#)

[Penal code](#)

[Reconciliation and Compromise Law](#)

The High Judicial Council Oversteps and Abuses Its Power as It Amends a Law by Instructions, Circumvents the President's Decision to Abolish a Decree-Law, and Violates the Principle of Separation of Powers.

21-2-2023 Lawyers, jurists, and those concerned with the public interest have circulated the news of the instructions issued by the chief justice, upon a decision by the High judicial council on 15/02/2023, which is in fact a circumvention of the president's decision to abolish the decree-law amending the law of civil and commercial procedures.

MUSAWA-The Palestinian Center for the Independence of the Judiciary and the Legal Profession, demanded the immediate cancellation of these instructions, and requested that the esteemed judges and lawyers maintain and stick to the laws in force, uphold their constitutional and legal powers, and set these instructions aside given its dangerous infringement on the social contract and citizens' fundamental rights. It is also a flagrant interference in the judges' work and their independence, not to mention restricting the litigant's rights in a way that goes against the lawyers' mission and duty.

We call on the State Audit & Administrative Control Bureau, the Anti-Corruption Commission and all relevant and competent official bodies, to closely examine these regulations for what it represents of power abuse that requires legal accountability. We also request the Bar association to address the competent official bodies regarding violations and risks entailed in these instructions.

[Position paper](#)

MUSAWA demands the Cancellation of the Appointed High Judicial Council's Instructions to Protect the Rights and the Rule of Law Foundations

5-3-2023 MUSAWA demands the Cancellation of the Appointed High Judicial Council's Instructions, following yet again another issuance of instructions amending laws supplemental to the constitution- this time the Penal Code- without legal competence or constitutional legitimacy, and with a weak claim:

“For better management of criminal cases, and fast, low-cost trial procedures” as described by its issuer. They restrict and blatantly interfere with the judges’ work, turning them into thoughtless executioners. It also violates the fair trial guarantees and negates the purpose of criminal justice which transforms the judiciary into a tool for repression and confiscation of rights.

The severity of this illegal and unconstitutional approach is that it came after the cancellation of decree-laws that were aimed at passing the same items entailed in the regulations, and the executive authority was forced to cancel them to avoid the dire consequences that will be inflicted upon them by the international and local society.

MUSAWA Warns against compromising which endangers the Bar’s role in protecting the rights of its members turning it into an accomplice and tool for the government

14-2-2023 MUSAWA learned from well-informed and trusted sources that the government and the chief justice continue to pressure the Bar association to accept the implementation of the Decree-laws amending the Penal code, the law of the civil procedures, and the law of execution that were all annulled, in addition to the law of court fees. In return, they will implement the pre-amendment regulation regarding notarized documents in hopes of ending the lawyers’ strike and subjugating them to their will.

This is in spite of the government and the chief justice’s awareness that this acceptance and acquiescence is not of the Bar Council’s jurisdiction, and that by doing so the Bar would be an accomplice to the crime of violating the Basic law, the constitutional human rights, and the international covenants that Palestine is bound by. In addition, it makes the Bar an accomplice in passing legislations that disregard the citizens’ right in access to justice, a fair trial and the protection of rights and freedoms, which all make up the essence of the Bar’s mission. This compromise and acquiescence endangers the Bar’s role in protecting the rights of its members and turns it into a tool for the government to suppress the people and take hold of their livelihood and dignity. MUSAWA warns against being dragged into this situation that goes against the Bar’s role and all the constitutional texts, principles, and values that it stands for.

MUSAWA Comments on the 2022 CORRUPTION PERCEPTIONS INDEX

“ The Institutionalization of totalitarianism will only lead to more corruption ”

31-01-2023 MUSAWA commented on the 2022 Corruption perceptions index by Transparency International, stating that “The Institutionalization of

totalitarianism will only lead to more corruption, as it grows and manifests itself in oppressive political environments, subordination of the judiciary, lack of participation and accountability, the consolidation of totalitarianism, and the monopolization of national resources, which is the main characteristic of most Arab nations’ political systems.” It also stated that the Corruption Perceptions Index revealed that the majority of Arab countries remain among the world’s most corrupt, and the only way to break the cycle of corruption is to enforce the principles of the rule of law both in legislation and in practice.

The Human Rights Defenders Declaration, Proposed by MUSAWA in 2016, reaches the table of the Government Action Follow-up Committee in Gaza



The Cabinet's response to the proposed Human Rights Defenders Declaration

MUSAWA’s Monitoring Report: The elections for the Sharia Bar Association Council in Gaza (2023-2027) were plagued by a number of violations

07-03-2023 MUSAWA published its monitoring report on the Sharia Bar Association Council elections in Gaza (2023-2027), copies of which were distributed to the Bar association and the Central Elections Committee.

The electoral process was marred by a number of violations, and MUSAWA demanded that the Central Elections Commission and the elected Council of the Bar association carefully examine them and work to address and overcome them, in order to promote the integrity and transparency of the electoral process,

enhance the trust and confidence of the general assembly and the public in the electoral process. This will motivate them to demand their right in choosing their representatives and leaders in the various civil and official institutions including the legislative, presidential, and national council elections, and give them the right to form their own trade unions that express their aspirations and defend their interests, and whose leaders are elected by them in free and periodic elections. MUSAWA hopes that the Sharia lawyers in the West Bank will follow their lead and speak out to uphold their right to form an independent Sharia Bar Association in the southern governorates.

Some of the violations occurred during the electoral silence phase, as well as during the voting and counting processes, most notably the closing of the ballot boxes and commencing the counting process without announcing the number of voters.

MUSAWA's Memos

MUSAWA received a number of complaints indicating the continued violation of the most basic rights of litigants in Gaza

01-3-2023 Following receiving a number of complaints on continued violations of the most basic rights in Gaza, MUSAWA sent memos regarding these complaints to the Attorney General in Gaza;

Following are a couple of these complaints:

A Complaint of Serious Physical Assault Pending Investigation since September 2019 [\(The memo\)](#) and a complaint by the mother of a detainee who suffered a health relapse, and the police chief ordered to put him in solitary confinement instead of transferring him to the hospital. This forced him to go on a hunger strike, which caused his health condition to deteriorate even further, leading to his transfer to Al-Aqsa Martyrs Hospital and Al-Shifa' Hospital. However, he was transferred to the hospital in shackles [\(The memo\)](#).

Continuation of Salary Deduction Violating a Final Court Ruling to Stay Enforcement Procedures

19-3-2023 Following an attorney's complaint about the continuation of salary deduction in violation of a final court ruling to stay enforcement procedures, MUSAWA sent a memo to the chief of

the High Judicial Council in Gaza. The complaint provides sufficient grounds for the esteemed judicial inspection department to conduct an investigation and take appropriate legal measures in this regard, particularly matters such as impeding, delaying, or failing to enforce final court rulings, which violates the texts and provisions of the Basic Law and the Judicial Authority Law. Furthermore, it is illegal to issue and carry out enforcement procedures against one who is not a party to the execution claim, not to mention the illegality of ignoring objections to the validity of these procedures [\(The memo\)](#).

In Other News

19-01-2023 MUSAWA Signs a Memorandum of Understanding with the Legal Clinic Program at the Faculty of Law and Public Administration at Birzeit University.

31-01-2023 MUSAWA distributed a pocket booklet titled "The Palestinian Social Contract," a legally binding agreement representing the will of all members of society, regardless of gender or social status. It holds collective power with ethical, legal, and social dimensions. The social contract is essential for society's growth, development, and security, and any breach requires investigation and accountability. It includes the Declaration of Independence and the Basic Law.

MUSAWA & the teachers' movement

MUSAWA Reminds of Its Initiative to Solve the Teachers' Crisis

9-2-2023 The key to stable education is:

1. An independent Teacher's syndicate, and no more tampering with their livelihood and job security.
2. Acknowledging the teachers' right to form an independent, democratic syndicate that chooses its leaders according to the will of its general assembly. This acknowledgment represents the practical aspect of finding an end to this crisis, provided that the government immediately fulfills this.
3. The government's recognition of the teachers' right to a livelihood, as well as an agreement with the elected syndicate on how to achieve this in a fixed periods of time.
4. The cancellation of unconstitutional "punitive" measures taken against teachers due to their participation in the legitimate strike, and in the forefront of these measures are the salary deductions, transfer threats, forced retirement
5. Stop the government's attempts to find replacements for teachers, as these attempts disregard and undermine the vital role of teachers in raising future generations.

[Initiative paper](#)

The salary deduction penalty imposed on teachers who exercised their constitutional right to strike is illegal, and does not resolve the crisis, nor improve education

16-2-2023 MUSAWA stressed in a press statement that the illegal salary deduction penalty imposed on teachers who exercised their constitutional right to strike as part of their demands for the constitutional rights and commitments that the government promised but did not fulfill, is a punishment that neither resolves the crisis nor enhances education. This won't bring stability; it will only worsen the crisis. MUSAWA once again reminds of its initiative to solve the crisis.

In another statement on 10/03/2023, MUSAWA called once again to immediately cancel the salary deduction, and enable the teachers to enjoy their right to form an independent teacher's syndicate. The salary deduction contradicts the government's claim, as it failed to implement the agreements and keep its previous promises to fulfill the legitimate work rights of teachers, not to mention that the continued

disregard for teachers' right to a democratic trade union is an attempt to exacerbate rather than resolve the crisis.

MUSAWA added the solution to this crisis lies in allowing the teachers to enjoy their right to form an independent teacher's syndicate that protects their rights, enhances their performance and ensures the government's fulfillment of all its previous promises and pledges.

MUSAWA also emphasized that the justice and education crises pose a serious threat to civil peace and the future of the generations to come, and attempting to solve them through repression, punishments and neglect is absurd.

MUSAWA Renews its Support for the Demands of the Palestinian Teachers and Rejects Security Solutions and Any Attempts to Circumvent

8-3-2023 MUSAWA monitored all news circulating on social media regarding teachers' adherence to their educational mission and upholding the schools and educational institutions where they work and belong intellectually and emotionally. In addition to their refusal to close the schools, this demonstrated their determination to carry out their plans to protest the confiscation of their human, livelihood, and union rights, without affecting their workplace, as they viewed the schools as a beacon of knowledge and a life necessity. MUSAWA viewed this as a display of their maturity and awareness of the sanctity of preserving and developing educational institutions, as well as the risks associated with closing or tampering with them, ensuring that it does not violate their constitutional right to protect their livelihood and union rights.

This responsible and mature stance of the teachers has given credibility to their demands and earned them the understanding and support of the public, as it demonstrated the legitimacy and fairness of their demands that deserve its long overdue approval.

MUSAWA reaffirms the legitimacy of the teachers' demands, and the need for an official and legal acknowledgment of their financial rights by adding them in writing on the Salary slip, in addition to accepting their right to form an independent teacher's syndicate concerned with their rights and aids in achieving their mission. MUSAWA also stresses on the futility of resorting to the security solution or circumventing the teachers' needs as this tampering can destroy the future of generations and demolish the present and future of our people.

MUSAWA published a [position paper](#) to show the entailed risks.

The Bar Association's movement

MUSAWA warned against halting the Bar Association's movement until their demands are met, including the cancellation or substantial revision of the court fees schedule, and the implementation and recognition of notary deeds

11-3-2023 MUSAWA warned against halting the Bar Association's movement until their demands are met, including the cancellation or substantial revision of the court fees schedule, and the implementation and recognition of notary deeds.

MUSAWA warned against halting the Bar Association's movement until their demands were met, including the cancellation or substantial revision of the court fees schedule, and the implementation and recognition of notary deeds. MUSAWA cautions the Bar not to expect Abo Sharar's successor to be any different, or to wait for a new "reform plan" from the executive authority, since it was the previous reform plan that established the transitional council under Abo Sharar. Therefore, the only way to break this vicious cycle is for The Bar movement to persist until its demands are met.

Adding that "A believer and sane person is not stung from the same hole twice" and the Path towards reform is clear, beginning with the cancellation of all decree-laws that amend judicial legislations, followed by the revision of the Judicial Authority Law and the repeal of all decisions, and instructions made pursuant with or in support of those decree-laws.

The performance of everyone in the judiciary and public prosecution - from the top to the bottom of the pyramid - should be evaluated by an independent committee known for its expertise, integrity, and impartiality. One that follows a transparent and impartial methodology prioritizing the public interest. Therefore, the movement must continue until its demands are met.

MUSAWA has previously warned the Bar association, in a statement on 14/02/2023, of the dangers of compromising with regard to these decisions.

MUSAWA requested the Bar Council to provide a copy of its justice development plan.

13-3-2023 MUSAWA requested the Bar Council to provide a copy of its initiative to launch a National Plan for the development of the justice sector because it considers the judiciary and justice to be a right for society and believes that reforming the justice system requires participation, vision, and a societal mechanism capable of transforming the current reality of the justice sector into a reality that upholds and promotes the principles of the rule of law, such as (The separation of powers / The rule of law / The independence, integrity, and impartiality of the judiciary). [letter](#)

On 21/03/2023, MUSAWA sent a [2nd letter](#) to the Bar Council, reiterating its request.

Statements

8-3-2023 MUSAWA issued a statement demanding the formation of an independent investigation committee into the events that transpired at the funeral of martyr Abdel-Fattah Kharousha in Nablus, where security forces assaulted mourners. It also required that the investigation committee's findings be made public and its decisions enforced, as this is a national and legal right.

“ Judicial bias drives the public to lose trust in the judiciary and resort to tribal justice to resolve disputes.” ”

Ahlam Tarayrah, executive director of MUSAWA, emphasized the importance of a regular judiciary for crime and accountability, stating that it should adhere to separation of powers and maintain independence, impartiality, and integrity. She emphasized the responsibility of the official authority to protect innocent people, even if tribal solutions dictate deportation. She noted an alliance between the authority and clans, but the government struggles to prevent "blood revenge" and violations like burning homes, evictions, assaults, and attempted murders.

[Link to the article](#)

“ Gagging and assassination of free speech that first started with judges and has since spread to employees. This is a very dangerous circular, as it restricts the submission of complaints only to God, and in whispers that no one can hear.” ”

MUSAWA comments on the circular issued by the Office of the President of the High Judicial Council on January 11, 2023 instructing all High Judicial Council employees not to post on social media in a way that jeopardizes the image of the judiciary and its personnel, or the reputation of the Palestinian authorities, under penalty of accountability.

MUSAWA's Activities

MUSAWA participated in a workshop on the adaptation of Palestinian legislation to international human rights conventions

17-1-2023 MUSAWA participated in a workshop organized by the Institute of Law at Birzeit University, in partnership with the Ministry of Justice and the Sawasya Program, on the adaptation of Palestinian legislation to international human rights conventions. This workshop introduced a new and innovative approach to the study of this adaptation, which that is based on "learning by doing" and involves the establishment of a methodology, the selection of real-world cases for each right, the measurement of the adaptation is through real-world application.

The first session of this workshop featured speeches from the Director of the Institute of Law, the Director General of the Department of Legal Affairs at the Ministry of Justice, and the project supervisor on adapting Palestinian legislation to international conventions.

The second session focused on demonstrating the disparity in how Palestinian legislation and international conventions address the right to equality, as well as selecting real-life cases involving this right, conducting legal analysis and commenting on them. All the sessions followed the same format, with the third focusing on the right to a fair trial under Palestinian law and international conventions, the fourth on the right to health, the fifth on the right to free expression, and the final one on the prohibition of torture.

MUSAWA participates in the "Digital Security conference: Privacy in the age of surveillance"



MUSAWA attended the Arab American University's "Digital Security: Privacy in the Age of Surveillance" conference

on January 31 in Ramallah in collaboration with the 7amleh Center. The first session of the conference was titled "Palestinian Youth in Digital Space: How Will Our Privacy Look in the Future?" The second is titled "How to Make the Digital Space a Safe Place for Palestinian Women," while the third is titled "The Invisible Threats of Digital Warfare and Civil Society Defense Strategies."

MUSAWA took part in a panel discussion titled "Organization and Trade Union Movement in Palestine: The Palestinian Bar Association."

14-2-2023 MUSAWA participated in a panel discussion hosted by the Social and Economic Policies Monitor (Al-Marsad) to increase knowledge about the experience of union work, particularly in light of the increased attacks and attempts by employers to deprive employees of their rights and render the union useless. Thus, this panel discussion seeks to raise awareness of the trade union's mechanisms for thwarting such attempts.

It focused on the numerous trade union strikes that occurred in the West Bank in 2022, which contribute to the development of a democratic law for union organization.

MUSAWA partook in a workshop for the development of the Palestinian police's accountability strategy for 2023-2027

MUSAWA participated in a workshop for the development of the Palestinian police's accountability strategy for 2023-2027, It discussed the results and recommendations of the report on the effectiveness of the police accountability system, as well as the next step in the strategy's development.

MUSAWA took part in the regional conference "Launching the Regional Alliance of Women Leaders for Anti-Corruption and Integrity in Arab Countries (WAIA)"

21-3-2023 MUSAWA participated in the regional conference titled "Launching the Regional Alliance of Women Leaders for Anti-Corruption and Integrity in Arab Countries (WAIA)" that was held in Jordan from March 19–20, 2023, and was organized by the UNDP Regional Hub



for Arab States. MUSAWA was represented by Adv. Shireen Sharawi, a member of its Board of Directors.

The conference saw the establishment of the Regional Alliance of Women Leaders for Anti-Corruption and Integrity in Arab Countries (WAIA), and discussed many topics related to corruption and the goals of sustainable development. It provided an overview of the studies and discussions that have taken place since the initiative's inception, in order to build on them, and develop regional recommendations to assist nations striving for purposeful and systematic gender mainstreaming in their anti-corruption national strategies, policies, and sectoral programs.

This conference was attended by the founding members of this regional alliance, along with more than 120 leaders of anti-corruption bodies across the Arab world, members of the Arab Anti-Corruption and Integrity Network (ACINET), and representatives from relevant regional and international organizations. The aim of the conference is to share knowledge and experiences in the fighting corruption, promoting integrity, empowering women, and developing a regional guide for gender mainstreaming that will be adopted by this alliance.

MUSAWA launched a four-episode radio talk show with Nisaa FM to raise awareness on Transitional Justice

MUSAWA launched a four-episode radio talk show with Nisaa FM to raise awareness about transitional justice and announce the National Conference for Transitional Justice, which was held on February 25, 2023. The following are the 4 episodes:

[Episode 1](#), [Episode 2](#), [Episode 3](#), [Episode 4](#)

MUSAWA received a number of complaints from the West Bank and Gaza:

7
complaints

4 complaints from citizens in the West Bank.
3 complaints from citizens in Gaza.

MUSAWA issued legal memorandums and sent it to the relevant authorities.

Monitoring Visits

MUSAWA conducted a number of monitoring visits in the West Bank and Gaza, as follows:

04/01/2023 – Monitoring visit to both the regular and Sharia court
29/01, 26/02, 13/03 – 2023 Monitoring visits to the trial of activist Nizar Banat – Ramallah.

March 7, 14, 21, 28 – 2023 Monitoring visits to the juvenile court – Gaza.

MUSAWA's Activities

MUSAWA's Policy and Legal Advisor's Visit to Gaza

MUSAWA's policy and legal Advisor, Ibrahim Al-Barghouti, visited Gaza in January. His visit included meetings with officials, civil society, and international organizations such as the EU and UNDP, as well as the lawyers for the rule of law group (Friends of MUSAWA), the youth parliament, and a wide range of media professionals. On Sunday afternoon, 15/01, he met with representatives of the joint Sawasiya 2 program: Promoting the Rule of Law in the State of Palestine, where they discussed aspects of cooperation, and then met with members of the Lawyers for the Rule of Law group and the Youth Parliament. He emphasized the importance of developing an integrated work plan to raise community awareness of citizens' constitutional rights, activate accountability and listening mechanism, and prioritize the rights of people with disabilities, women, and children.

On Monday, 16/1, he also met with Tharwat Al-Baik, Director General of Legal Affairs at the Legislative Council, Prof. Amjad Al-Agha from the Council's Legal Department, and Muhammad Ramadan, Director General of



Media and Public Relations.

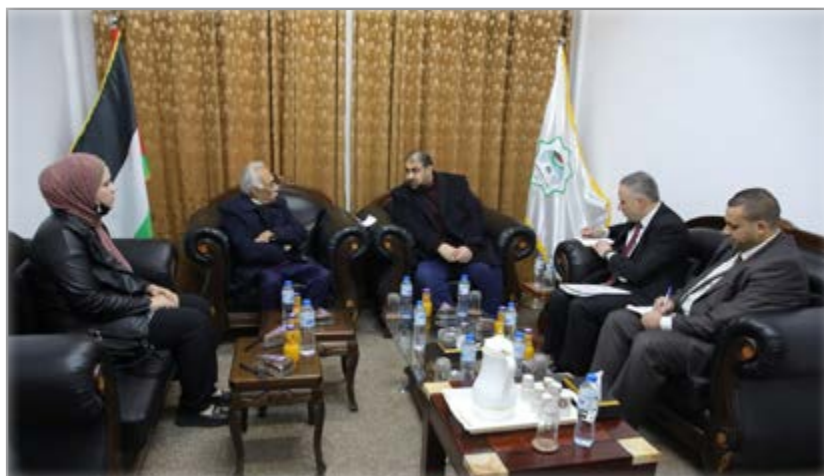
The discussion centered on the need to hold municipal, trade union, and student elections as soon as possible, adopt the Declaration on Human Rights Defenders proposed by MUSAWA in 2016, respect freedom of opinion and expression as a constitutional right, stop detaining people for their beliefs or political views, stop massive expansion of taxes, abolish exceptions for child marriage, and to eliminate discrimination in custody rights between a widow and a divorcee.

They also discussed the gravity of

the security forces' actions of dispersing the celebration of the High Commissioner for Human Rights on International Human Rights Day and the increasing issuance of legislations. It was followed by an extensive meeting with journalists, including local, regional, and international news agencies, during which he discussed MUSAWA's vision of achieving reconciliation in accordance with transitional justice standards, the media's role in achieving this, and ways to enhance communication with them. He then met with the President of the High Judicial Council, Diaan Al-Madhoun, along with the director of his office, Mahmoud Al-Hefni, and the head of the

technical office, Judge Ihab Arafat. The meeting covered MUSAWA's memos, the Grand Criminal Court, women in judicial positions, the risks of implementing job rotation in judicial positions, security examinations (background checks) for judicial positions, and the doubled fees imposed by the "Mersal" company tasked with delivering judicial notifications, as well as the illegality of charging these fees to litigants.

On Tuesday 17/1, he met with the EU office representative in Gaza, Adv. Ayman



Fathia, to discuss aspects of collaboration and MUSAWA's role in defending rights and freedoms, redressing marginalized groups, and providing legal aid to prisoners of conscience. He also met with Ahmed Al-Atah, the Undersecretary of the Ministry of Justice, with whom he discussed the need to expedite the approval of the declaration on human rights defenders, as well as provide sign language for people with disabilities in all ministries and official departments, lauding its use at notary public departments. He also spoke about the performance evaluation of the Committee for the Employment of Persons with Disabilities and the need

for it to evolve in a way that protects their legal and constitutional rights, allowing them to hold public office without discrimination.

In a meeting with Attorney General Muhammad Al-Nahhal, they discussed MUSAWA's right to monitor detention centers and prisons. The Public Prosecutor assigned the director of his office, Jihad Al-Hwaiti, and MUSAWA's oversight officer in Gaza, Rula Mousa, to oversee the implementation of this right. In addition, they



discussed MUSAWA's memos and the actions of the Public Prosecution in the case of the two sisters Fatima and Wissam Al-Taweel.

He also met with Hassan Al-baba of the General Secretariat of the Cabinet. The meeting addressed the Declaration on Human Rights Defenders and the need to adopt it as a system as soon as possible, find a fair legal solution to the unregistered private lands (also known as The High Commissioner lands), revise the taxes, fees, and regulations for the employment of persons with disabilities, and work together to enhance the performance of the complaints handling and public inquiries units in all government departments.

Thursday, January 19th, a meeting was held with Areej Al-Ashhab from UN Women to discuss the importance of joint action to ensure the abolition of the exception for underage marriage and discrimination in custody between the widow and the divorcee, the criminalization of early marriage, and the development of communication mechanisms with women victims of gender-based violence. He also highlighted the importance of restoring respect for the Palestinian Basic Law, developing and activating the efforts of the Civil Coalition to amend the Personal Status Law, and providing citizens with legal and judicial assistance.

During his visit, He met with the vice president of the Bar Association, Safi Al-Dahdouh, and a number of members of the Regular Lawyers' Bar Committee. They discussed MUSAWA's oversight of the bar's performance, how to implement its recommendations, and how to maintain its independence and professionalism. They also addressed the pension fund crisis and the laws in MUSAWA's Justice and Law magazine.

On Monday, 16/1, the visit concluded with a meeting with His Eminence Sheikh Hassan Al-Jojo, President of the Supreme Council of the Sharia Judiciary, where they discussed the draft sharia personal status law, Sharia Procedure law, rights of women and children, and MUSAWA's memo to the council regarding the travel ban circular, which resulted in the Council retracting it, the case of two sisters, Wissam and Fatima Al-Taweel, judicial notification fees in Sharia cases, and Bar examinations.





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