

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Palestinian National Authority
Palestinian Legislative Council
The Speaker



السلطة الوطنية الفلسطينية
المجلس التشريعي
الرئيس

No.:

Date : **28/1/2019**

الرقم :

التاريخ :

Dear\ Mr. European Union Representative in Palestine
Dears\ Misters. Heads of European Union Delegations in Palestine
Greetings,,,

Subject / Clarification regarding the official position of the European Union on the dissolution of the Legislative Council.

The Palestinian Legislative Council (PLC) presents its compliments, with reference to the above subject, having considered the official position of the European Union Representative in Palestine, and taken into consideration the European Union's interest in building proper institutions for the components of the political system, and our deeply appreciation for the role of the European Union in supporting the Palestinian people at all levels of humanity, human rights, democracy, integrity, good governance, justice, judicial independence and other fields. After examining the information received in the official position of the European Union on the dissolution of the Legislative Council, we put the following legal facts in your hands:

1. Since its election in 2006, the Palestinian Legislative Council has been holding its sessions and exercising its legislative and supervisory functions in accordance with the provisions of the Palestinian Basic Law and its amendments, despite attempts by the occupation and the Authority to obstruct the work of the Legislative Council in the West Bank. And the prevention of the elected Speaker of the Legislative Council Dr. Aziz Dweik from entering the halls of the Legislative Council by Palestinian security services in Ramallah. Furthermore, the widespread arrest and detention campaign of more than forty deputies, headed by the President of the Legislative Council.
2. The Legislative Council has carried out its oversight and legislative functions in the manner specified in the Palestinian Basic Law, since 2006 and until this time has issued more than sixty laws to deal with life-related issues affecting the rights of Palestinian citizens, including those issued in 2018. it also exercised his oversight functions through holding hearings and asking questions and interrogations to the government, the Council's committees have also followed up citizens' complaints.



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3. In accordance with the provisions of Art. 47 - Bis of the Palestinian Basic Law - The term of the current Legislative Council shall not be terminated, unless the new members of the Council are sworn in. Consequently, the extension of the term of the Legislative Council shall be in accordance with the provisions of the Basic Law and the Elections Law and any decision to dissolve the Legislative Council and end its mandate constitutes a clear constitutional and legal violation that requires correction and amendment and restore the situation to what it was before. Hence, the executive branch is represented by the government and the president is responsible for retracting all actions taken against members of the Legislative Council.

4. Mahmoud Abbas, the Palestinian Authority president which his term was meant to expire since 9/1/2009, he can not deny the principles of democracy and the provisions of the Basic Law and hence he has no right to form a Supreme Constitutional Court contrary to the law in order to issue judgments of a political nature, exceeding the minimum fair trial standards stipulated in all international instruments and conventions on the right to litigation and to ensure fair trial standards.

5. The president of the Authority (outgoing) knows that the holding of Palestinian elections requires national consensus to ensure the participation of all Palestinians in the elections. And this is not possible because of the division and the division legislation issued by Mahmoud Abbas on the elections. As the amendment of the amended Palestinian election law by the president (outgoing) impugned to be unconstitutional. Then, any elections based on this law will be invalid and null by virtue of the Basic Law and this is a waste of democratic principles and a waste of money and time as well.

In conclusion, we in the Legislative Council confirm you that the position of the European Union on the dissolution of the Legislative Council has been based on incorrect legal ruels, erroneous information and in violation of the provisions of the Palestinian Basic Law and its amendments as well as the provisions of the Elections Law. Accordingly, we request you to investigate the accuracy and objectivity in issuing a position by you regarding the Palestinian issue, We also assure you that we are determined to call our people for presidential, legislative and national council elections in accordance with the 2005 electoral law and related election laws.

Sincerely yours,

Ahmed Bahr

**The Vice President of
Palestinian Legislative Council**

