

Decree No. 28 of 2007 Concerning the Jurisdiction of the Military Justice System during the State of Emergency

**The Chairman of the Executive Committee of the Palestine Liberation Organisation
The President of the Palestinian National Authority**

In reference of the provisions of Title VII of the Amended Basic Law of 2003,
Having reviewed the Penal Law No. 74 of 1936,
Having reviewed the Penal Law No. 16 of 1960,
Having reviewed the Revolutionary Penal Law of the Palestinian Liberation Organisation of 1979,
Having reviewed the Revolutionary Procedural Law of the Palestinian Liberation Organisation of 1979,
Having reviewed the Military Order no. 555 of 1959 Concerning the Crimes against the State Security,
Having reviewed the decrees promulgated by me during the state of emergency,
Having reviewed the recommendation of the Council of Ministers, dated July 4th, 2007,
Based upon the powers bestowed upon me, and
In accomplishment of the public interest,

I hereby promulgate the following Decree:

Article 1

1. In addition to its jurisdictions, the military justice system shall have jurisdiction over the crimes against public safety in violation of the laws, decrees and orders referred to in the preamble to this Decree and in force in the areas of the Palestinian National Authority, particularly:
 - a. The crimes against the officials and employees of the Palestinian National Authority and its institutions and properties.
 - b. The crimes against public safety and internal public security.
 - c. The crimes against the Palestinian security agencies and their personnel.
2. For the purposes of enforcing the provisions of this Decree:
 - a. The Military Prosecution shall assume the jurisdictions of the Public Prosecution.
 - b. Military courts shall apply, in the cases heard before them, the Revolutionary Procedural Law of the Palestinian Liberation Organisation of 1979.
 - c. All personnel of the Palestinian security forces shall enjoy the capacity of judicial police.
3. The articles of effective laws, which contradict the provisions of this Decree, particularly Paragraph 2 of Articles 101 and 107 of the Amended Basic Law of 2003 shall be suspended.

Article 2

The Council of Ministers shall issue forth the regulations and instructions necessary for the implementation of the provisions of this Decree.

Article 3

All the competent authorities, each one within its sphere of jurisdiction, shall implement the provisions of this Decree, which shall enter into force as of the date of its promulgation and shall be published in the Official Gazette.

**Issued in the city of Ramallah on July 6th, 2007 *Anno Domini*,
Corresponding to Jumada al-Akhirah 21st, 1428 *Anno Hegira*.**

Mahmoud Abbas

Chairman of the Executive Committee of the Palestine Liberation Organisation

President of the Palestinian National Authority

Commander-in-Chief of the Palestinian Forces